State Control of Instruction

A STUDY OF CENTRALIZATION IN PUBLIC EDUCATION

BY

AUGUST WILLIAM WEBER

Professor of Psychology and Education, Cleveland Normal Training School

A THESIS SUBMITTED FOR THE DEGREE OF DOCTOR OF PHILOSOPHY
UNIVERSITY OF WISCONSIN
1911

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STATE CONTROL OF INSTRUCTION

INTRODUCTION.

The Centralizing Tendency of Public Education.

At any period of the world's history the dominant institution has had control of education. The family, the tribe, the guild, the church, have at various times in the history of man, wielded the scepter of learning. The most dominant power of modern society is the state, and the underlying principle of American civilization is justice and equity. With the growth of the spirit of democracy this principle has become felt in education. To provide equal opportunities for all, the state has assumed greater and greater control in the administration of public education in the United States. In less than a century a transformation has taken place. From a state of extreme decentralization, as represented by the early colonial schools, has evolved one of increasing centralized power in constituted school authorities. Modern public education is characterized by the increasing control exercised by the state. The trend of development has been toward the firmer establishment of a wider and more effective state supremacy over education.

The Purpose of This Dissertation.

Among the most significant factors of this centralizing process is the curriculum of the public school. It is the purpose of this dissertation to analyze and set forth the contemporary status of this state-controlled curriculum of elementary and secondary public schools, to display the sharp distinction between the modern centralized state school and the decentralized institution from which it has developed.

CHAPTER I.

HISTORICAL SKETCH.

The Early Colonists.

The history of education in the United States had its beginning with the first permanent English settlement. The early New England colonists came from the foremost of European peoples.

"Never since, in the history of our country has the population as a class been so highly educated as during the first half century of the Massachusetts settlements. One man in every 250 had been graduated from an English university, and both clergy and laity had brought enviable reputations for superior service both in church and college."[1]

Though puritanism was "the consummate flower of English intellect,"[2] it must be remembered that the emigrants shared the prevailing opinions, prejudices, and modes of thinking of the English at that day.[3] They came to reproduce, as far as circumstances would permit, their English life. They recognized class distinctions and first set about erecting colleges for the training of the aristocracy for the Church and the State.

The Act of 1642.

The first legislation found in colonial records upon the subject of education, excepting that in reference to Harvard College, is the act passed June 14, 1642:

"This Cort, taking into consideration the great neglect of many parents & masters in training up their children in learning,

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1 Dexter: History of Educaton in the U. S., p. 24.

2 Martin: Evolution of the Massachusetts Public School System, p. 2.

3 "In reckoning the mental outfit of the first comers we should only mislead ourselves by recalling the names of Johnson and Shakespeare and the other lights that were shining when the Susan Constant and her two little consorts sailed out of the Thames to bear a company of English people to the James River. Nor will it avail much to remember that Milton was a Puritan at the same time with Cotton and Hooker and Winthrop. The emigrants had no considerable part in the higher intellectual life of the age; the great artistic passions of Shakespeare and Milton touched them not at any point. Bacon's contributions to the art of finding truth did not belong to them. Men may live in the same time without being intellectual contemporaries."—Eggleston: The Transit of Civilization, p. 2.

& labor, & other implyments which may be proffitable to the common wealth, do hereupon order and decree, that in every towne ye chosen men appointed for managing the prudentiall affajres of the same shall henceforth stand charged with the care of the redresse of this evill, so as they shall be sufficiently punished by fines for the neglect thereof, upon presentment of the grand iury, or other information or complaint in any Court within this jurisdiction; and for this end they, or the greater number of them, shall have power to take account from time to time of all parents and masters, and of their children, concerning their calling and implyment of their children, especially of their ability to read & understand the principles of religion & the capitall lawes of this country, and to impose fines upon such as shall refuse to render such accounts to them when they shall be required."[4]

While this act made education compulsory, it did not provide schools nor teachers, but the children as before had to secure their training at home, from private teachers, or in voluntary schools. Five years later the General Court of Massachusetts enacted the general law which laid the foundation for the common school system.

THE ACT OF 1647.

"It being one chiefe piect of yt ould deluder, Sathan, to keepe men from ye knowledge of ye Scriptures, as in formr times by keeping ym in an unknown tongue, so in these lattr times by pswading from ye use of tongues, yt so at least ye true sense & meaning of ye originall might be clouded by false glosses of saint seeming deceivers, yt learning may not be buried in ye grave of or fathrs in ye church & commonwealth, the Lord assisting or endeavors,—

"It is therefore ordred, yt evry towneship in this iurisdiction aftr ye Lord hath increased ym to ye number of 50 householdrs, shall then forthwth appoint one wthin their towne to teach all such children as shall resort to him to write and reade, whose wages shall be paid eithr by ye parents or mastrs of such children, or by ye inhabitants in genrall, by way of supply, as ye maior pt of those yt ordr ye prudentials of ye towne shall appoint; pvided, those yt send their children be not oppressed by paying much more yn they can have ym taught for in othr townes; & it is furthr ordered, yt where any towne shall increase to ye numbr of 100 families or householdrs they shall set up a grammer schoole, ye mr thereof being able to instruct youth so farr as they may be fited for ye university; pvided, yt if any towne neglect ye

[4] Records of the Governor and Company of the Massachusetts Bay in New England, Vol. II, p. 6.

pformance hereof above one yeare, yt such towne shall pay 5t to ye next schoole till they shall pforme this order."[5]

This act recognized elementary, secondary, and higher education. While the act of 1642 made education compulsory, it provided neither schools nor teachers. The act of 1647, though the responsibility of educating children still rested on parents and masters, compelled the towns to supply the schools.

The Character of Colonial Schools.

How effective this legislation became in the history of Massachusetts it is not easy to determine. Reading and writing were required to be taught in the first elementary schools, while Latin formed by far the major part of the secondary instruction.

"Latin was apparently three-quarters of the curriculum in most of the grammar schools, or more likely nine-tenths of it, or nineteen-twentieths."[6]

Dr. Hinsdale characterizes the early colonial schools in these words:

"In general it may be said that the system of education established in those early years grew for a time with the growth of the commonwealth. The many learned to write and read in the elementary schools; the few fitted for college in the Latin schools and graduated at Harvard."[7]

Fiske expresses a similar view:

"The people of Colonial New England were not all well-educated, nor were all their country schools better than old field schools. The farmer's boy, who was taught for two winter months by a man and two summer months by a woman, seldom learned more in the district school than how to read, write and cipher."[8]

In the other New England colonies, founded by men of the same character, under quite similar economic conditions, educational events followed like courses. The Massachusetts schools served as models for the neighboring colonies, although they did not achieve such progress as was attained by the older commonwealth. It cannot be said that any of the colonies were indifferent to education, but outside of New England it did not

5 Records of the Governor and Company of the Massachusetts Bay in New England, Vol. II, p. 203.

6 Brown: The Making of Our Middle Schools, p. 133.

7 Hinsdale: Horace Mann and the Common School Revival in the United States, p. 7.

8 Fiske: Old Virginia and Her Neighbors, Vol. II, p. 251.

become a matter of public concern. Such attention as it received was more largely private, and fell far short of that of Massachusetts. The difference between the early New England settlers and those of Virginia and other southern colonies, the isolated plantations, and the absence of community life, precluded the establishment of such schools as were found in New England.

"Still it cannot be doubted that, down to the beginning of the Common School Revival, the other states were all far in the rear of Massachusetts and Connecticut. For this there were many reasons, some external and some internal. Nowhere outside of New England do we find that intense town life which did so much to stimulate men's minds, including schools and learning. And nowhere else, save among the Scotch-Irish of the frontiers, did the prevailing type of religious belief and eccelesiastical organization tend so strongly to diffuse intelligence and promote education. There was a wide interval between the planters of the South, for instance, and the farmers, lawyers, ministers, and tradesmen of the New England States. Learning held no such place in the mind of the one as in the mind of the other. The typical Virginian was a man of vigorous faculties, knowledge of the world, force of character, and book education sufficient for his purposes; he bore himself well on the plantation and in the hunting field, in the vestry meeting, at the hustings, and in the House of Burgesses; but he was no theologian, dialectician, or scholar. He was a Protestant, indeed, but he belonged to the Established Church, which was always sluggish in respect to popular education as compared with the more vigorous dissenting bodies that have done such great things for education on the Continent, in Great Britain, and in the United States. Finally, at the South slavery was an important factor that the historian who treats the subject thoroughly must deal with."[9]

Clifton Johnson gives this description of the schools in the South:

"I have been describing educational conditions particularly as they were in New England. Though far from ideal, these conditions were nevertheless better than in any other part of the country. Especially in the South, with its widely separated houses and few villages, the environment was in every way unfavorable for maintaining public schools. The children of wealthy planters were usually taught by private tutors or sent to England to be educated; yet once in a while a planter would start a little school for the benefit of his own children and the other

[9] Hinsdale: Horace Mann and the Common School Revival in the United States, p. 34.

white children who chanced to live on or near his plantation. The teachers of such plantation schools were apt to be redemptioners and exported convicts. In Europe at the time, the lot of the poor was extremely hard and many persons came across the Atlantic solely to escape the inevitable misery at home. The captain of the ship that brought over a penniless man of this class was allowed to sell him for four years to pay his passage. It was also customary to transport men who had been convicted of small crimes and sell them for periods of greater or less length. When one of these unfortunates could read and write, he sometimes was purchased for a schoolmaster, and teachers of this kind were common, both in the Southern and Middle colonies. Not infrequently they were coarse and degraded and they did not always stay their time, as is witnessed by advertisements like the following in the newspapers of the period. Ran away: A servant man who followed the occupation of a schoolmaster, much given to drinking and gambling."[10]

Hinsdale speaks in a similar way when he says:

"Southern gentlemen sometimes owned the teachers of their children: convicts or indentured persons whom they purchased of the skippers that laid them down in the harbors. There is an old story, not very well authenticated, that Washington received his early lessons from a convict servant whom his father had bought in the market. The ministers of the churches often eked out their slender salaries and contributed to the enlightenment of their several communities by teaching school, and, perhaps still oftener, by teaching private pupils."[11]

Free Schools in Colonial Times.

The schools of colonial times, with the possible exception of Massachusetts were not free. In fact, in most localities the later public schools had their genesis in private or charitable undertakings.

"When other means of education were lacking, the laws ordered that the parents themselves should impart instruction to their children. But most communities contrived to have a dame school. There was always some woman in every neighborhood who, for a small amount of money, was willing to take charge of the children and teach them the rudiments of knowledge. The older and larger towns had their dame schools, as well as the pioneer villages, and they were everywhere a chief dependence for elementary instruction; yet they were seldom at first town

10 Clifton Johnson: Old Time Schools and School Books, p. 32.

11 Hinsdale: Horace Mann and the Common School Revival in the U. S., p. 36.

schools, and none of them were free for a long time..... The school dame did not usually find the labor of teaching very onerous. While she heard the smaller pupils recite their letters, and the older ones read and spell from their primers, she busied her fingers with knitting and sewing, and in the intervals between lessons sometimes worked at the spinning wheel. An interesting instance of school-dame industry occurs in the annals of Northfield, Mass. The first teacher in the town was a woman hired to care for a class of little ones twenty-two weeks in the warm season. Besides the neighbor's children, she had four of her own to look after, yet her energies were by no means exhausted, and the semi-leisure of the schoolroom allowed her to work quite steadily making shirts for the Indians at eight pence each."[12]

The idea of universal public education was one of slow growth.

"Taking our stand at the point where the half-mediæval seventeenth gives place to the far more modern eighteenth century, we can see that the thousand-year-old exclusive instruction of the few was in process of slow transformation into a scheme of popular and universal education. As usual in such a metamorphosis, the change was made by insensible gradations; the continuity without apparent seam."[13]

Martin speaking of the free schools of Massachusetts says:

"When this result had been reached, about the middle of eighteenth century, Massachusetts stood alone in the world. Excepting New Hampshire, which was so closely identified with Massachusetts as to be thought of with it, no other state in the Union had a free-school system. Connecticut had public schools, but they were not free until later. New York had no public school system of any kind at this time, and had no free-school system until a century later. The European systems furnished free schooling only to the poor."[14]

But the whole environment and the very life of the colonists was such as to lead them to unite their forces, and they in time became more democratic. When, however, they gained a larger view of education and recognized its desirability for the many as well as the few, it was because they saw its value to the individual. They did not at once realize that the very safety of their government depended on the diffusion of learning among all the people. As late as 1838, at a convention called in Trenton, this

12 Clifton Johnson: Old Time Schools and School Books, p. 24.

13 Eggleston: The Transit of Civilization, p. 237.

14 Martin: The Evolution of the Massachusetts Public School System, p. 52.

question is argued at length in an address to the people of New Jersey.

"In the theory of our constitution, the people are the governors. In practice they ought to be. And is ignorance the qualification for good government? Would you select a man to make your laws who cannot read? Or one who cannot write to execute them? Yet the authority which they exercise, and the abuses of which they are capable, are nothing, in comparison with them from whom all power proceeds, and without whose permission no wrong can be done. Fellow citizens, we are republicans. Our country is our commonwealth. We have all an equal share in her. Her laws are alike for the protection of all. Her blessings are our common privileges. Her glory is our common pride. But common privileges impose a common responsibility. And equal rights can never be disjoined from equal duties. The constitution which, under God, secures our liberties, is in the keeping of all. It is a sacred trust which no man can delegate. He holds it for himself, not for his children, for posterity, and for the world. And he who cannot read it, who does not understand its provisions, who could not on a just occasion, assert its principles, no more sustains the character of an American citizen, than the man who would not seal it with his blood. It is in vain to say that education is a private matter, and that it is the duty of every parent to provide for the instruction of his own children. In theory it is so. But there are some who can not, and there are more who will not make provision. And the question then is, shall the state suffer from individual inability or from individual neglect?"[15]

Gradually, however, with the change of industrial and social conditions, better public opinion prevailed and free tax-supported schools came as a result.

"But the logic of events led straight to free schools. The question, whether those who used the schools or the inhabitants of the town should maintain them in whole or in part, was left to those to determine who ordered the prudentials of the town, and these inclined more and more to town support. The cost of the schools tended to outgrow the ability of parents and guardians to keep them up; while private benevolence is commonly slow when the public authorities can touch the lever of public taxation. The poor were unable to pay the tuition of their children, and discrimination between the poor and the rich was odious in the democratic atmosphere that surrounded the colony. And so the germs planted in 1642 and 1647 continued to grow until, about

[15] Barnard: American Pedagogy, p. 314.

the middle of the eighteenth century, the schools became practically free."[16]

Religious Control of Colonial Schools.

During the colonial period, the schools were largely fostered in the interests of religion and the administration of educational affairs rested largely with the clergy.

"In the Colonial time the common schools in New England were closely affiliated with the Church. The clergy used them, as they used their pulpits, and probably more effectively, as means of propogating their theological system. In the other states also education had a strong ecclesiastical basis."[17]

Great emphasis was laid on religious instruction.

"Powers of darkness and of light were struggling for the possession of every child; there was no time to lose. Every opportunity must be improved by parents, ministers, and teachers to pluck the children as brands from the burning.[18] One of his (the schoolmaster's) greatest obligations was to catechise the children on the sermon of the previous Sunday, and require them to rack their skulls for the text, for the subject, and for most of the moving passages."[19]

The Later Colonial Period.

The later colonial period may be designated as a time of transition. By the end of the seventeenth century it has been claimed that an educational declension had set in. This contention is apparently borne out by the increased fine imposed on two occasions (1671, 1683) for non-compliance with the compulsory law in respect to Latin schools.

"This declension is commonly ascribed to the wars with the Indians and the French that wasted the blood and the treasure of the colony; the political and social contentions that disturbed the peace; the uncertain relations that existed between Massachusetts and the Mother Country, and internal, economic, and social changes. There can be no doubt, too, that the brightness of the early Puritan ideal had become dimmed."[20]

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16 Hinsdale: Horace Mann and the Common School Revival in the U. S., p. 8.

17 Hinsdale: Horace Mann and the Common School Revival in the U. S., p. 45.

18 Martin: The Evolution of the Mass. Public School System, p. 66.

19 Colyer Meriwether: Our Colonial Curriculum, p. 17.

20 Hinsdale: Horace Mann and the Common School Revival in the U. S., p. 9.

THE ORIGIN OF THE DISTRICT SCHOOL.

One important event that seriously affected education was the evolution of the district school, which naturally arose in Massachusetts, out of the town schools established by the act of 1647. In the typical New England town, the population was concentrated around the meeting house and its accompanying school. As population increased and became more distributed, different social conditions prevailed. With the disappearance of fear from Indian invasion, people began to push out into the wilderness. Many new towns had no nucleus of population, others had several. The one town school no longer sufficed and there appeared the traveling school which went to the children instead of the children going to the school.

"That is, the single town school was kept a certain time in one corner of the town, then in another, and so on until the circuit had been completed, the periods that it spent in the different localities being equal or unequal, as circumstances might determine."[21]

This in turn was soon superseded by several schools in the same town which, at first managed by the selectmen of the town, soon, in accordance with democratic ideals opposed to all centralized authority, came wholly under local, that is, district control. The district school, which thus arose without legal sanction, was fully legalized by the act of 1789, and became the dominant school power within the state well into the last century. In 1817, the school districts were made corporations with power to sue and be sued. In 1827, it attained the culmination of its power, limited only in the raising and apportioning of taxes and the qualifications of teachers.

"This marks the culmination of a process which had been going on steadily for more than a century. It marks the utmost limit to the subdivision of American sovereignty—the high-water mark of modern democracy, and the low-water mark of the Massachusetts school system."[22]

The district school system of New England was adopted by nearly all the western states and, to some extent, in the South, although here the county is the prevailing unit of school organization.

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21 Hinsdale: Horace Mann and the Common School Revival in the U. S., p. 11.

22 Martin: The Evolution of the Mass. Public School System, p. 92.

The Decline of the Grammar School and the Rise of the Academy.

The district system, while it furthered politically the spirit of democracy and equality of privileges, led also toward class differentiation. The growth of this system meant the decline of the grammar school which, in many districts because of their small size, it was found impossible to maintain. About the middle of the 18th century, there arose the academy, which was partly the result of this decline and partly its cause. In the old colonial days, the need of the middle class was not generally recognized. The grammar schools were chiefly college preparatory institutions, that is, for the higher class, and had no organic connection with the elementary schools, which were for the lower classes. The revolutionary period and years following saw a gradual breaking up of these social strata and a rise into prominence of the middle class. It was in response to the demand of this class for better educational facilities than the district school afforded, that the academy appeared. While at the outset the academies were not intended as preparatory institutions, they came in time into close relation with the colleges, and served as such in place of the decayed grammar schools.

State Systems of Education.

While education was thus cherished since the earliest days of New England history, and public schools early became quite generally established, especially in the North, it remained for the 19th century to produce systems of education under full public control. In colonial days, as has been already noted, secondary education received but little attention. Society was organized on social levels. Education was mainly for the professional and leading classes, with some elementary schooling, of a meagre fragmentary character, for the lower classes. With the growth of democracy and the consequent disappearance of the social levels of earlier days, the trend of public education has been toward the establishment of the principle of equality. The development has been to make education continuous, an educational ladder, leading from the lowest to the highest. Before the end of the first quarter of the 19th century, however, few state systems arose. This somewhat tardy development was not due to lack of

foresight or want of educational ideals on the part of our early national leaders. They realized that the success of our experiment in popular government, as well as the prosperity and social progress of the people, depended upon a generous scheme of education, adequate to meet the needs of all. To see that the political leaders were fully abreast of the time in their social and political views and appreciated the need and worth of education, it is only necessary to refer to their writings.

Thus Washington urges:

"Promote, as an object of primary importance, institutions for the general diffusion of knowledge. In proportion as the structure of a government gives force to public opinion, it is essential that public opinion shall be enlightened."[23]

Of similar purport are the words of John Adams:

"The wisdom and generosity of the Legislature in making liberal appropriations in money for the benefit of schools, academies and colleges, is an equal honor to them and their constituents, a proof of their veneration for letters and science, and a portent of great and lasting good to North and South America, and to the world. Great is truth—great is liberty—great is humanity—and they must and will prevail."[24]

Thomas Jefferson, probably more nearly than any one else, expresses the modern democratic idea of education.

"I look to the diffusion of light and education as the resources most to be relied on for ameliorating the condition, promoting the virtue, and advancing the happiness of man. And I do hope, in the present spirit of extending to the great mass of mankind the blessings of instruction, I see a prospect of great advancement in the happiness of the human race, and this may proceed to an indefinite, although not an infinite degree. A system of general instruction, which shall reach every description of our citizens, from the richest to the poorest, as it was the earliest, so it shall be the latest, of all the public concerns in which I shall permit myself to take an interest. Give it to us, in any shape, and receive for the inestimable boon the thanks of the young, and the blessings of the old, who are past all other services but prayers for the prosperity of their country, and blessings to those who promote it."[25]

In a similar vein James Madison writes:

"Learned institutions ought to be the favorite objects with every free people; they throw light over the public mind, which

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[23] Barnard's American Journal of Education, Vol. 15, 1865, p. 12.
[24] Barnard's American Journal of Education, Vol. 15, 1865, p. 12.
[25] Barnard's American Journal of Education, Vol. 15, 1865, p. 12.

is the best security against crafty and dangerous encroachments on the public liberty. They multiply the educated individuals, from among whom the people may elect a due portion of their public agents of every description, more especially of those who are to frame the laws; by the perspicuity, the consistency, and the stability, as well as by the justice and equal spirit of which, the great social purposes are to be answered."[26]

Likewise John Quincy Adams:

"Moral, political, and intellectual improvements, are duties assigned by the author of our existence to social, no less than to individual man. For the fulfilment of these duties, governments are invested with power, and to the attainment of these ends, the exercise of this power is a duty sacred and indispensable."[27]

Causes of Centralization.

The conception common to all these statesmen and leaders is that education is necessary for citizenship. These views, however, were not general. It had to become evident that the democratic theory of local school control was inconsistent with educational progress, and that some general directing authority was necessary for reasonable efficiency. The educational advance, moreover, is intimately connected with the social and economic development of the country. During the last few decades, great changes have taken place. With the rapid growth of population and the increase of wealth, primitive conditions have given way to modern complexities, and public education has grown more and more important and become a question of general as well as local concern. Various forces have contributed to this development. The period following the transition from colonial dependence to national independence was one of great activity, one of great changes and growth. Through the development and growth of urban population, the simple colonial life was rapidly superseded by modern conditions. In the pioneer days, education was necessarily much neglected, but with better conditions it became less a battle for mere existence, and education of the masses received more attention. The educational provisions of the earlier days no longer sufficed. It was recognized that intelligence was needed for industrial, social, and political life. Likeness of interest in industrial and social life called for similarity

[26] Barnard's American Journal of Education, Vol. 15, 1865, p. 12.
[27] Barnard's American Journal of Education, Vol. 15, 1865, p. 12.

of culture and training. The extension of the suffrage emphasized still more the demand for better schools. The enlargement of educational interest was accompanied by tendencies toward centralization. The first step in this centering of educational control was the creating of state school funds. The granting of aid on the part of the state implied the fulfillment of certain conditions on the part of the locality, such as the maintenance of school for a stated period, instruction in specified subjects, employment of qualified teachers, raising of local taxes, and the like. Thus state school funds became the basis of distinctive state policies and inaugurated a system of state control in education.

Evidences of Centralization.

While the earlier educational efforts seem to have been to make the district system more effective, the later tendency has been to merge it into the larger township organization. The district system has doubtless been a necessary step in the evolution of school organization, and the means of bringing the school within the reach of all. It had, however, many inherent evils among which may be mentioned the inequality of taxation and school privileges of different districts, discontinuity of studies and school policies, lack of effective grading and supervision, and its expensiveness and narrow provincialism. In 1837, Horace Mann said of the Massachusetts schools:

"In this commonwealth, there are about three thousand Public Schools, in all of which the rudiments of knowledge are taught. These schools, at the present time, are so many distinct, independent communities, each being governed by its own habits, traditions, and local customs. There is no common superintending power over them; there is no bond of brotherhood or family between them. They are strangers and aliens to each other."[28]

With the migration of population, moreover, conditions so changed, many districts became so impoverished and depopulated as to greatly limit the usefulness of this system. In some form or other it still exists in many of the states. In Maine, New Hampshire, Vermont, Massachusetts, New Jersey, and Indiana, the township system has entirely superseded it, while in others, as Rhode Island, Connecticut, Wisconsin, Minnesota, Illinois,

[28] Horace Mann: Lectures and Annual Reports on Education, p. 47.

North and South Dakota, and the upper peninsula of Michigan, both are found. Massachusetts was the first to abolish it in 1882.

The very constitutions indicate the change that has taken place in the administration of education. The early constitutions made no reference to education, not because their framers were illiterate or had no interest in education, but because it was held to be a matter for local and private concern. Today, every state and territory, in a greater or less degree, exercises control over the various schools within its borders. The constitutions of nearly all the states provide for a system of free schools.[29]

Current legislation and court decisions are strongly toward centralization. Hardly a legislative session passes which does not enact some law affecting the educational interests of the state. There is a marked difference between the colonial district school, which was practically a law unto itself, and the modern state-controlled school. Judicial decisions have fully established that schools are not local, controlled by separate communities, but parts of a state system, subject to and controlled by state authority. Different states exercise this authority in different degrees. The construction and equipment of school buildings, the examination and certfication of teachers, the selection and furnishing of text-books, the framing and enforcing of courses of study, the inspection and supervision of instruction, the attendance of pupils, medical inspection of schools, whatsoever through the agency of the school affects the weal or woe of the child, and through it the welfare of the state, has become, to a greater or less extent, subject to state control.

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[29] Ala. 256; Ariz. 11, 6; Ark. 14, 1; Cal. 9, 5; Col. 9, 2; Del. 10, 1; Fla. 12, 1; Ga. 8, 1, 1; Ida. 9, 1; Ill. 8, 1; Ind. 8, 1; Ia. 9, 1, 12; Kan. 6, 2; Ky. 183; La. 248; Md. 8, 1; Me. 8, 1; Mich. 13, 4; Minn. 8, 3; Miss. 201; Mo. 11, 1; Mon. 11, 1; Ord., N. C. 9, 2; N. D. 147; Neb. 8, 6; Nev. 11, 2; N. J. 4, 7, 6; N. Y. 9, 1; O. 6, 2; Okla. 13, 1; Ore. 8, 3; Pa. 10, 1; S. C. 11, 5; S. D. 8, 1; 22, 1; Tex. 7, 1; Utah 3, 4; 10, 1; Va. 129; Vt. 2, 41; Wash. 9, 1; 26, 1; 27, 1; W. Va. 12, 1; Wis. 10, 3; Wy. 7, 1; Ord. (Irrevocable without the consent of the U. S.; Wy., Wash., Utah, N. D., S. D., Mon.)—Stimson: Federal and State Constitutions of the U. S., p. 141.

(The numbers refer, in the order given, to chapter, section and clause of the constitutions of the states named.)

CHAPTER II.

ELEMENTARY EDUCATION.

The Need of Education.

Whatever may be the view held as to the end of education, its necessity is admitted on every hand. The child enters this world as an immature, helpless being, and requires years of care and training to attain development. Even with the earliest man, education of some sort was necessary. The child, during the period of immaturity, had to become adapted to his primitive environment or fail to survive in the struggle for existence. In this primitive society, education was unorganized. Such adaptations as conditions demanded were effected by the child through direct imitation of his elders. In the course of time, however, through years of development, man has attained to stages of civilization and accumulated an ever-growing fund of knowledge, calling for special agencies for its transmission. With the change of environment, the change of social and political conditions, the ever-increasing stock of human experience, the change in the conception of the possibility and nature of human development, the change of the view of the purpose of life and human existence, the importance of the period of infancy has become more significant, and the function of the school better understood. Today, its possible socializing influence is discerned better than ever before, and no aim of education can meet the demands of the present that does not recognize the needs of society. In this country, it is to the public school that is entrusted, in large measure, the obligation to safeguard the welfare of the social body individually, as well as collectively.

The Necessity for State Control.

That the public school may perform its proper function, the state has more and more assumed control over its administration and prescribed rules and regulations calculated to further the interests of the individual, as well as those of the state. The right

of the state to this control springs from its very nature[1] as an organized unity for the maintenance of the welfare of society and the highest well-being of its members.[2] The state exists for the better obtaining of the true ends of human existence. It is for

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1 "The state is founded on those rights which are essential to all members and which can be enforced. . . . On the other hand, the state stands incalculably above the individual, is worthy of every sacrifice, of life and goods, of wife and children, for it is the society of societies, the sacred union by which the creator leads man to civilization; the bond, the pacifier, the humanizer of men, the protector of all undertakings in which and through which the individual has received its character, and which is the staff and shield of society."—Lieber: Political Ethics, pp. 151, 160.

2 "The office of government will be simple or complex or difficult, very much according to the character of the people to whom it is applied, and the possibility of advanced governmental systems will depend on the same conditions. It is, then, a wise policy on the part of the state to simplify its task by elevating the mental and moral conditions of the people by judicious education. This is a measure of public safety which reduces the tendency to crime and qualifies people for a higher degree of citizenship. This policy seems so evidently wise to constitute it one of the primal state duties. . . . An undoubted function of the state is the case of the moral and physical welfare of its people. The moral welfare is effected by education. The chief effort of humanity in all ages and in all forms of civilization is to know. The effort of knowledge is an uphill struggle, and it is remarkable that the knowledge which is essential to progress and welfare of the human race is acquired by the slowest degrees and by the continuous labor of many generations. In the meantime, misery, suffering, loss of life, are the penalties of ignorance. Year after year, generation after generation, century after century, are witnessed diseases which torture humanity and abridge life, until the means are discovered whereby the evil may be abated.. In a similar way the act of protecting against the effects of natural powers is learned, and only partly learned by years of effort. The constant struggle after knowledge to guard or to improve humanity is constantly going on with infinitely slow results. This picture, drawn on a grand scale, is reproduced in all the smaller affairs of life. As knowledge advances, so do conditions improve and equally are problems of life simplified. With the advance of knowledge, the people of a state find their moral and material justice improved and the difficulties of government are lessened. It has been the fashion at times to deny the advantages of knowledge as spread among a people. To do this is to deny all the teachings of history, to misjudge the forces which have been acting for the advance of mankind.

"With these truths thus set forth, it appears that it is a state function to further or to compel, as far as the needs of the case demand, the education of the people. The advantages of education appear in many ways; in the economic sense, in the greatest utility of labor by the application of superior intelligence; in a moral sense, in the cultivation of good habits; in a political sense, in a more intelligent comprehension of political duties. The degree of intelligence furthered by education is politically valued directly as the popular participation in political duties. Granting these truths, it is a state duty to further and possibly to compel popular education."—Wood: Government and the State, pp. 115, 215, 216.

the interests of all that the individual must become socially efficient.[3] All human endeavor has for its ultimate end the attainment of happiness; social progress, however, the direct means to this end, is dependent upon general intelligence,[4] and hence education becomes a most important social function. It is important politically as well as economically. Some education generally diffused is essential to the very life[5] of a state competent to secure the ends for which it exists. In the United States especially, because of the extent of suffrage, the only safety of the nation as well as of the commonwealths rests in the universality, the vigor, and the soundness of education. In a republic, the will of the people should be supreme, and if ignorance and vice rather than virtue and intelligence are in control, the welfare of the state as well as of the individual is menaced. Self-preservation is the first law of governmental as well as of human existence. The danger from ignorance and vice not only affects the safety of the state from within, but from without. The state must educate as a means of military defence. Knowledge and science, rather than mere numbers and physical strength, are the deciding factors in military contests today.

However, the great battle of the future will not be one of arms, but of intelligencee and mental and moral strength, fought on the fields of industry and invention and trade. The commercial and industrial progress of the leading nations of the world in recent years has a very vital relation to their educational advance. Education is an indispensable means of industrial prog-

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3 "No theory of the state can be complete which does not make its aim sufficiently wide to include the perfect development of all its citizens in the highest, noblest and fullest form of social, political and industrial life. . . . Its end is only reached with the perfecting of every individual's capacities, and this implies the perfecting of its own. The end, then, we are in search of must be a very wide one. It is nothing short of the highest welfare of the individual and of humanity."—McKechnie: The State and the Individual, p. 74.

4 Ward: Dynamic Sociology, p. 108.

5 "It is admitted by all that the state should possess powers sufficiently extensive for the maintenance of its own continued existence against foreign interference, to provide the means whereby its national life may be preserved and developed, and to maintain internal order, including the protection of life, liberty and property. These have been designated the essential functions of the state, and are such as must be possessed by a state, whatever its form."—Willoughby: The Nature of the State, p. 310.

ress. It promotes industry, makes labor skillful[6] and more productive,[7] enriches industry through discoveries and inventions,[8] and improves the conditions of laborers intellectually, physically, morally and socially.[9]

To provide this education that will answer the needs of the state, as well as of the individual, some general authority is necessary.[10] Unless the state assumes this function, there is no as-

6 "The laborer's general intelligence determines his intellectual qualifications for his work, his ability to direct his bodily powers, such as they are, to the production of wealth, with the maximum of effect and the minimum of waste."—Walker: Political Economy, p. 54.

7 "There is no extravagence more prejudicial to the growth of national wealth than that wasteful negligence which allows genius that happens to be born of lowly parentage to expend itself in lowly work."—Marshall: Principles of Economics, p. 213.

8 "We may then conclude that the wisdom of expending public and private funds on education is not to be measured by its direct fruits alone. It will be profitable as a mere investment, to give the masses of the people much greater opportunities than they can generally avail themselves of. For by this means, who would have died unknown, are enabled to get the start needed for bringing out their latent abilities. And the economic value of one great industrial genius is sufficient to cover the expenses of education of a whole town; for one new idea, such as Bessemer's chief invention, adds as much to England's productive power as the labor of a hundred thousand men. . . . All that is spent during many years in opening the means of higher education to the masses would be well paid for if it called out one more Newton, or Darwin, or Shakespeare, or Beethoven."—Marshall: Principles of Economics, pp. 216, 217.

9 "A good education confers great indirect benefits, even on the ordinary workman. It stimulates his mental activity; it fosters in time a habit of wise inquisitiveness; it makes him more intelligent, more ready, more trustworthy, in his ordinary work; it raises the tone of his life in working hours and out of working hours; it is an important means toward the production of material wealth; at the same time, that, regarded as an end in itself, it is inferior to none of those which the production of material wealth can be made to subserve."—Marshall: Principles of Economics, p. 212.

10 "Education is the proper office of the state for two reasons, both of which come within the principles we have been discussing. Popular education is necessary for the preservation of those conditions of freedom, political and social, which are indispensable to free individual development. And, in the second place, no instrumentality less universal in its power and authority than government can secure popular education. In brief, in order to secure popular education, the action of society as a whole is necessary; and popular education is indispensable to that equalization of the conditions of personal development which we have taken to be a proper object of society. Without popular education, moreover, no government which rests upon popular action can long endure; the people must be schooled in the knowledge, and if possible in the virtue, upon which the maintenance and success of free institutions depend. No free governmnt can last in health if it lose hold of the traditions of its history, and in the public schools these traditions may be and should be sedulously preserved, carefully replanted in the thought and consciousness of each successive generation."—Wilson: The State, pp. 638-639.

surance that education will be universal, that good citizenship will be promoted, that patriotism and love of country will be fostered; in brief, that the best interests of the state and the individual will be subserved. The state, moreover, has the right of taxation, and the authority which exercises this right is in duty bound to see to it that the purposes for which taxes are laid are realized. Education conducted without state permission, direction or control, may be entirely opposed to the best interests of the state and, indeed, subversive of its organization and destructive to its own integrity.

State control of education has been opposed on grounds of individualism[11] and socialism, and it has been said that that government is best which governs the least. It might better be said that that people is the happiest and strongest who because of their intelligence and moral integrity need the supervision and restraint of government the least. The voluntary plan of education would not promote the requisite culture of all. The indifference in matters educational on the part of many is a fact of common observation, as the enactments of compulsory attendance laws throughout the civilized world attest. How difficult it is to make education universal, in spite of such legislation, is shown by the prevalence of illiteracy. According to the census of 1900, the total number of illiterates, of persons ten years or more of age, in the United States amounted to 6,246,857.[12]

The Meaning of State Control.

The national government of the United States—while it has aided generously in education, both elementary and higher, and has been increasingly active in the diffusion of knowledge among the people—has left the direction and control of public instruction to the different commonwealths. State control, therefore,

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11 "For if the benefit, importance, or necessity of education be assigned as a sufficient reason why government should educate, then may the benefit, importance, or necessity of food, clothing, shelter and warmth be assigned as a sufficient reason why government should adminster these also. So that the alleged right can not be established without annulling all parental responsibility whatever."—Spencer: Social Statistics, p. 362.

"Knowledge has to be won at the cost of self-denial, being the best inheritance a man can bequeath to his children as the fruit of the exertions of a lifetime."—Mackay: A Plea for Liberty, p. 272.

12 U. S. 1900 Census Reports, vol. II, p. xcvii.

has reference not to the federal state, but to the various members composing it.

Elementary Education of First Consideration.

From the standpoint of social welfare, the universality[13] of education is more important than its amount, and hence it is not surprising that the elementary schools, which at least should be provided for all, are of first concern in point of state control.

The Curriculum as a Controlling Factor.

In the control thus exercised, that pertaining to the curriculum is of foremost importance. The course of study, while but one element, is the chief instrument for developing and carrying forward the educative process. The curriculum represents, or should represent, racial experience and achievements that have proved of value. It is the most important means which the school possesses for furthering the adjustment of the individual to his environment.

Constitutional Provisions.

Constitutional provisions for such control are quite limited. Though nearly all states have incorporated educational measures

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[13] "The third cardinal principle which inheres in our definition of education is that it must be universal. The knowledge which society requires to be extended to one it must require to be extended to all. Otherwise, the true end in view is not attained. . . . We have now to recognize the important fact that the value of education increases in an accelerated ratio as the number of uneducated diminishes. Just as the shepherd rejoices more over the one sheep that was lost and is found than over the ninety-nine that went not astray, so society, when it fairly realizes its interests will care more for the education of a mere handful hitherto neglected than for the mass already provided for. . . . Just as poverty in the midst of wealth aggravates its evils, so ignorance in the midst of intelligence is intensified by the contrast. A generally low state of intelligence is comparatively harmless, since there is a normal degree of correspondence among all the parts of the social fabric. But a stolid and vicious class in the midst of science, learning, and culture, like a 'bull in a china-shop,' presents such a complete state of inharmony and unfitness that the effect is out of proportion to the cause. Civilization, like all organized progress, has only been achieved at vast expense to the social energies. Its constitution is necessarily delicate in proportion as it is refined. Its differentiation has gone so far, and its integration is on so extensive and exact a scale, that it will not stand to be rent in pieces by internal discords. Every assault of savagery upon so complicated and expensive an organization costs society an immense sacrifice, and is felt in all parts of the social system. It cannot afford to nurse a viper daily threatening its life." —Ward: Dynamic Sociology, pp. 593, 595.

into their constitutions, to a greater or less extent, but little direct reference is made to school curricula. This is confined to the language[14] requirements and the teaching of the metric system, in Utah,[15] and the elements of agriculture, horticulture, stock-feeding, and domestic science, in Oklahoma.[16]

MEANS OF CONTROL OF CURRICULA.

It is in their statutes that the control of education on the part of the states is made manifest. Not only directly, but indirectly, through the examination of teachers,[17] the examination of pupils[18] for admission to secondary schools, and special subsidies,[19] this authority exerts a directing influence on the course of study of elementary schools.

STATUTE REQUIREMENTS.

In their direct control, the different states present a varying practice, both as to extent and quality.[20] This function, however, is generally exercised by the state, rather than local authorities. Out of the forty-eight states and the territory of Hawaii, only eight, Arkansas (in cities and towns), Idaho (in independent school districts), Iowa, Michigan, Minnesota, New Hampshire, New York, Rhode Island, also Oregon (in districts of the first class), vest this authority in the local school boards exclusively. In Nebraska, the course of study is established by the school boards of the county, by the consent and advice of the county superintendent. New Jersey makes it the duty of the board of education of the district, in connection with the county superintendent. In thirty states, California, Colorado, Connecticut, Florida, Georgia, Illinois, Indiana, Kansas, Kentucky, Louisiana, Maryland, Massachusetts, Mississippi, Montana, New Mexico, North Carolina, North Dakota, Ohio, Oklahoma, Pennsylvania, South Carolina, South Dakota, Tennessee, Texas, Vermont, Virginia, Washington, West Virginia, Wisconsin and Wyoming, the law designates specifically the branches of study. Arkansas and Maine require the state superintendent to determine the subjects

14 See chapter IV.
15 Utah, art. 10, sec. 11.
16 Oklahoma, art. 1, sec. 8.
17 See chapter III, p. 52.
18 See p. 35.
19 See p. 35.
20 See appendix.

to be taught; Arizona, Delaware, Idaho, Nevada, and Oregon, the state board of education; Hawaii leaves it to the department of public instruction; in Missouri and Utah, in county districts of the first class, it is the duty of the county superintendent; and in Alabama, of the county board. Local autonomy, however, is not complete, even in the eight states before mentioned, inasmuch as physiology and hygiene, including the effects of alcoholic drinks and narcotics, must be included in the branches of study according to law, in all the states of the union, except Oklahoma, and, by the federal enactment[21] in 1886, in the territories, besides one or two other subjects. Of the thirty states in which the law designates the branches of study, all require reading, grammar, arithmetic, geography, orthography, and physiology, and all except Oklahoma include United States history and, with the exception of Mississippi, writing. Florida, Georgia, Illinois, Kansas, Kentucky, Maryland, Mississippi, Montana, North Carolina, Pennsylvania, South Carolina, South Dakota, Tennessee, Texas, Vermont, Virginia, West Virginia, Wisconsin and Wyoming, require state history; Alabama, Colorado, Georgia, Maryland, North Carolina, South Carolina, Tennessee, Vermont, Wisconsin, United States constitution; Alabama, Colorado, Delaware, Florida, Georgia, Maryland, Mississippi, North Carolina, South Carolina, Tennessee, Vermont, Wisconsin and Wyoming, state constitution; California, Colorado, Connecticut, Florida, Georgia, Illinois, Kentucky, Maryland, Mississippi, Montana, North Dakota, Ohio, Pennsylvania, Tennessee, Texas, Virginia, West Virgina, civil government; Colorado, school law of the state; Mississippi, Montana, Texas, Washington, mental arithmetic; South Carolina, algebra and plane geometry; California, Tennessee, West Virginia, bookkeeping; New Mexico, North Carolina, Ohio, language lessons; California, Kentucky, North Carolina, Texas, English Composition; South Carolina, English literature; Wisconsin, orthoepy; California, Florida, Iowa, Maryland, Massachusetts,* Oklahoma, Pennsylvania,* domestic science; California, Florida, Illinois,* Louisiana, Maine, Maryland, Massachusetts, North Carolina, Pennsylvania,* Vermont, and Virginia, drawing; California, Colorado, Illinois,* North Dakota, Tennessee, Vir-

[21] See chapter V.

*Law not mandatory.

ginia,* and Wyoming, nature study; Alabama, Arkansas, California, Florida, Georgia, Iowa, Louisiana, Maryland, Massachusetts,* Minnesota,** Mississippi, North Carolina, North Dakota, Ohio, Oklahoma, Pennsylvania,* South Carolina, Tennessee, Texas, Virginia,* West Virginia, Wisconsin and Wyoming, elements of agriculture; Oklahoma, horticulture, stock feeding and animal husbandry; California, Florida, Iowa, Maryland, Massachusetts,* Ohio,* Tennessee,* Virginia* and Vermont,* manual training; Utah, the metric system; Arkansas, the method of designating and reading land survey by ranges, townships and sections; Colorado, theory and practice of teaching; Maine and Oklahoma, forestry; Indiana, Massachusetts, North Carolina, Pennsylvania, special instruction in tuberculosis and its prevention; Michigan, Montana and Utah, methods of prevention and restriction of dangerous communicable diseases; Indiana, the dissemination of diseases by rats, flies and mosquitoes and the effects thereof, and the pervention of diseases by the proper selection and consumption of food.[22]

State Courses of Study.

Not only the branches of study, but the courses as well, have been made a matter of state control. Twenty-one of the states have made legal provision for this purpose. Arkansas, Iowa, Michigan, Montana, Nebraska, North Dakota, Pennsylvania, Vermont and Wisconsin make it the duty of the state superintendent to prepare such a course; Arizona, Georgia, Idaho, Kansas, Kentucky, Mississippi, Nevada, Oregon, South Carolina, Washington and West Virginia, of the state board of education; Utah, of the state school committee, consisting of the state superintendent, principal of the state normal school, principal of the state normal training school, and two county school superintendents to be appointed by the state board of education. These courses, however, do not have to be adopted necessarily in the schools. In Wisconsin, e. g., the state superintendent prepares such a course, but the district board decides what shall be the curriculum of its school. Oregon prescribes a state course only for second

*Law not mandatory.
**State aid for such instruction.
22 See chapter V.

and third-class districts, and Utah for the schools of the state not included in county school districts of the first class and in cities of the first and second class.

EXTENT OF CENTRALIZED CONTROL.

While in some states the statutes merely indicate the minimum requirements, in others the provision is extensive. The law of Massachusettts requires:

"Every city and town shall maintain, for at least thirty-two weeks in each year, a sufficient number of schools for the instruction of all the children who may legally attend a public school therein, except that in towns whose assessed valuation is less than two-hundred thousand dollars, the required period may, with the consent of the board of education, be reduced to twenty-eight weeks. Such schools shall be taught by teachers of competent ability and good morals, and shall give instruction in orthography, reading, writing, the English language, and grammar, geography, arithmetic, drawing, the history of the United States, physiology and hygiene, and good behavior. In each of the subjects of physiology and hygiene, special instruction as to the effects of alcoholic drinks and of stimulants and narcotics on the human system, and as to tuberculosis and its prevention, shall be taught as a regular branch of study to all pupils in all schools which are supported wholly or partly by public money, except schools which are maintained solely for instruction in particular branches. Bookkeeping, algebra, geometry, one or more foreign languages, the elements of the natural sciences, kindergarten training, manual training, agriculture, sewing, cooking, vocal music, physical training, civil government, ethics, thrift, and such other subjects as the school committee consider expedient, may be taught in the public schools."[23]

Maryland is another example of a state making extensive provisions:

"In every district school there shall be taught orthography, reading, writing, subjects for language training, English grammar, geography, arithmetic, history of the United States, good behavior, the constitution of the United States, constitution and history of Maryland, vocal music, drawing, physiology, the laws of health and domestic economy, civil government; and the elements of agricultural science may in the discretion of the State board of education, be added to the branches required to be taught in the State normal school and in the public schools of the various counties of the State."[24]

[23] Massachusetts, L. '10, chap. 524.
[24] Maryland, L. '04, chap. 584.

The district public schools of Tennessee are divided into two classes, primary and secondary, the former consisting of five grades and the latter of eight, the first five of each being the same.

"In every primary school shall be taught orthography, reading, writing, arithmetic, grammar, geography, history of Tennessee, containing the constitution of Tennessee, and the history of the United States, containing the constitution of the United States. Vocal music and elocution, or the art of public speaking, may be taught therein, and no other branches shall be introduced, except those added in (4) below (i. e. physiology and hygiene, with special reference to the nature of alcoholic drinks and narcotics). In every secondary school shall be taught the following branches: orthography, reading, writing, arithmetic, grammar geography, history of Tennessee, containing the constitution of Tennessee, history of the United States, containing the constitution of the United States, elementary geology of Tennessee, elementary principles of agriculture, elements of algebra, elements of plane geometry, elements of natural philosophy, bookkeeping, elementary physiology and hygiene, elements of civil government, and rhetoric or higher English. Practice shall be given in elocution, or the art of public speaking. Vocal music may be taught, and no other branches shall be introduced, except those included in (4) following" (as above).[25]

In California, the law not merely prescribes the studies, but directs their administration to some extent.

"All schools must be taught in the English language. Instruction must be given in the following branches, in the several grades in which they may be required, viz.: reading, writing, orthography, arithmetic, geography, nature study, with special reference to agriculture; language and grammar, with special reference to composition; history of the United States and civil government; physical culture, including the necessary elements of physiology and hygiene, with special reference to the injurious effects of tobacco, alcohol and narcotics on the human system; morals and manners; music, drawing, and elementary bookkeeping, humane education, and when competent teachers thereof can be secured and there are sufficient funds in the district to pay their salaries, manual training and domestic science; provided, that instruction in elementary bookkeeping, humane education, elements of physiology and hygiene, music, drawing, and nature study may be oral, and no text-books on these subjects shall be required; provided further, that County Boards of Education may,

[25] Tennessee, Public School Laws, 1911, p. 25, sec. 32.

in districts having less than one hundred census children, confine the pupils to the studies of reading, writing, orthography, arithmetic, language and grammar, geography, history of the United States and civil government, elements of physiology and hygiene, and elementary bookkeeping, until they have a practical knowledge of these subjects: and it is further provided, that no more than twenty recitations per week shall be required of pupils in the secondary schools, and no pupils under the age of fifteen years in any elementary school shall be required to do any home study. Other studies may be authorized by the Board of Education of any county, city, or city and county, but such studies if so authorized shall be in lieu of a corresponding number of such enumerated studies specified in the preceding section and not in addition thereto. Instruction must be given in all grades of school and in all classes during the entire school course, in manners, in morals and upon the nature of alcoholic drinks and narcotics and their effects upon the human system. Attention must be given to such physical exercises for the pupils as may be conducive to health and vigor of body, as well as mind, and to the ventilation and temperature of schoolrooms."[26]

Exceptional Requirements.

All the states, except those in which local autonomy prevails,[27] make such provision as will at least provide for the elements of a common school education. Aside from the subjects common to all the curricula, some of the branches evidently reflect state demands in special lines or more or less individual interests made public in legislation. Such, undoubtedly, is the requirement as to school law in Colorado; algebra and English literature, in South Carolina; orthoepy, in Wisconsin; theory and practice of teaching, in Colorado. A special noteworthy example is Oklahoma, which requires the elements of agriculture, horticulture, stock feeding and domestic science, by constitutional provision. This becomes peculiarly significant, when it is considered how difficult it usually is to amend state constitutions.

Enrichment and Elimination.

An examination of the various curricula leads to the conclusion that the discussion of enrichment of courses of study has produced its effect in legislation, at least in some states. Though true enrichment is doubtless desirable, the multiplicity of subjects

[26] California, L. '13, chap. III, sec. 1664-1668.

[27] See p. 25.

may well raise the question of elimination. This need not mean the omission of subjects of study, but rather the elimination of all subject matter in any branch which is of no real value to the child. This vitalization of the course of study is not so much a work for the legislator as for the teaching profession, for the leaders in educational thought and practice.

Authority of School Boards Over Courses of Study.

In seventeen states, the law grants authority to some state or local official to add branches not specified. Various legal decisions in these states, as well as in others where this power is not specifically stated, have affirmed this authority of school boards.

In the case of McCormick v. Cora Burt, in 1883, brought by the former against the latter and the school board to recover damages for his suspension from school on account of the non-observance of a rule of the school, it was held:

"In the performance of the duties imposed by law upon school directors, they must exercise judgment and discretion. What rules and regulations will best promote the interests of the school under their immediate control, and what branches shall be taught, and what text-books shall be used, are matters left to the determination of the directors, and must be settled by them from the best light they can obtain from any source, keeping always in view the highest good of the whole school."[28]

In Laporte, Ind., one Aram Andrew was suspended from school for refusing to study music. The case came into the courts, and finally reached the supreme court which, in its decision affirmed:

"It cannot be doubted, we think, that the Legislature has given the trustees of the public school corporations the discretionary power to direct, from time to time, what branches of learning, in addition to those specified in the statute, shall be taught in the public schools of their respective corporations. Where such trustees may have established a system of graded schools, or such modifications of them as may be practicable, with their respective corporations, they are clothed by law with the discretionary power to prescribe the course of instruction in the different grades of their public schools. We are of the opinion that the rule or regulation of which the relator complains, in the case under consideration, was within the discretionary power conferred by law upon the governing authorities of the school city

[28] McCormick v. Cora Burt, 95 Ill. 263.

of Laporte, that it was not an unreasonable rule, but that it was such a one as each pupil of the high school, in the absence of sufficient excuse, might lawfully be required to obey and comply with."[29]

In 1876, there was tried, in the supreme court of Iowa, the case of Bellemeyer v. The Independent District of Marshalltown, involving the question as to the right of the district board to bind the district by a contract for the purchase of a musical instrument. After reciting the laws pertaining to the qualifications of teachers and to the right of the annual school meeting to determine "what additional branches shall be taught in the schools of the district," the court affirmed:

"We are of opinion that under these provisions of the statute, the independent district, defendant, had the power to determine that music should be taught in the schools as a branch of education."[30]

The school board of Defiance, Ohio, in 1876, adopted a rule providing for the suspension from school of any pupil refusing to study rhetoric, unless excused on account of sickness, or other good cause. A boy named Andrew Sewell refused to comply with this rule and was suspended. The boy's father brought suit against the board. The court in its decision affirmed:

"The act under which the common schools of Defiance were organized gives to the board of education of the town the entire control and management thereof; authorizes the board to make and enforce all necessary rules and regulations for the government of teachers and pupils therein, and to determine the various studies and parts of study in which instruction shall be given in the several departments thereof. The act does not direct how, or in what manner, the rules and regulations which the board may adopt for the government of the schools under its care and management shall be enforced, but leaves the whole subject of the making of such rules and their enforcement to the judgment and sound discretion of the board. The rule in question, for the enforcement of which, in the manner stated, damages are claimed by the plaintiff in this action, was, in our opinion, reasonable."[31]

In one of the district schools of Vermont, in 1859, a boy named Guernsey refused to write English composition required by the teacher, but not mentioned in the list of studies prescribed

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[29] The State, ex. rel. Andrew, v. Webber, 108 Ind. 31.
[30] Bellmeyer v. The Independent Dist. of Marshalltown, 44 Iowa 564.
[31] Sewell v. Board of Education, 29 Ohio State 89.

by law. The boy was suspended and the case came before the courts. In the ruling of the supreme court is found the following:

"But in regard of those branches which are required to be taught in the public schools, the prudential committee and the teacher must, of necessity, have some discretion as to the order of teaching them, the pupils who shall be allowed to pursue them, and the mode in which they shall be taught. If this were not so, it would be impossible to classify the pupils, or for one teacher to attend to more than ten or twelve pupils. With this concession to the teacher of fixing the mode of teaching these branches, it seems very obvious that English composition may fairly be regarded as an allowable mode of teaching many of these branches."[32]

There was a case tried in the courts of Nebraska, in 1891, instituted because of the expulsion from school of a girl for her refusal to study grammar. The court held:

"Schools are provided by the public in which prescribed branches are taught which are free to all within the district between certain ages. But no pupil attending the school can be compelled to study any prescribed branch against the protest of the parent that the child shall not study such branch, and any rule or regulation that requires the pupil to continue such studies is arbitrary and unreasonable. There is no reason why the failure of one or more pupils to study one or more prescribed branches should result disastrously to the proper discipline, efficiency, and well being of the school."[33]

In 1875, one Frances Post attended a district school in Illinois, and belonged to a class which required the study of bookkeeping. Because of her refusal to pursue this study she was expelled from school. An action of trespass was instituted against the principal and directors of the school, and the case finally reached the supreme court which, in giving its opinion, said:

"The state has provided the means and brought them within the reach of all, to acquire the benefits of a common school education, but leaves it to parents and guardians to determine the extent to which they will render it available to the children under their charge. We are, therefore, clearly of opinion that the general assembly has invested school directors with the power to compel the teaching of other and higher branches than those enumerated, to those willing to receive instruction therein, but

32 Guernsey v. Pitkin, 32 Vermont 226.

33 State v. School Dist. No. 1 of Dixon County, 31 Neb. 552.

has left it purely optional with parents and guardians whether the children under their charge shall study such branches."[34]

Similarly, in Morrow v. Wood, in 1874, where the real point at issue was the right of the teacher to compel a pupil to study a particular branch, the supreme court declared:

"Certain studies are required to be taught in the public schools by statute. The right of one pupil must be so exercised, undoubtedly, as not to prejudice the equal rights of others. But the parent has the right to make a reasonable selection from the prescribed studies for his child to pursue, and this cannot possibly conflict with the equal rights of other pupils."[35]

Recently the right of the parents to make a reasonable selection of studies for their children to pursue has again been tried in court. Some of the parents in district No. 18, of Garvin County, Okla., did not desire to have their children take singing lessons, which formed a part of the prescribed course of study. The parents requested the school board to excuse their children from this exercise, but the school authorities denied the request. The children were expelled for refusing to participate, and suit was instituted. The case reached the supreme court, which ruled as follows:

"The school authorities of the state have the power to classify and grade the scholars in their respective districts and cause them to be taught in such departments as they may deem expedient. They may also prescribe the courses of study and text-books for the use of the schools, and such reasonable rules and regulations as they may think needful. They may also require prompt attendance, respectful deportment, and diligence in study. The parent, however, has a right to make a reasonable selection from the prescribed course of study for his child to pursue, and his selection must be respected by the school authorities, as the right of the parent in that regard is superior to that of the school officers and the teachers."[36]

These cases clearly indicate the power of school boards to frame courses of study. While the decisions regarding the parent's right to make selections from courses of study apparently conflict, the general conclusion to be reached would seem to be that parents have a right to make reasonable selections, provided

[34] Rulison v. Post, 79 Ill. 567.
[35] Morrow v. Wood, 35 Wis. 59.
[36] School Board v. Thompson, 103 Pac. 578.

such action does not interfere with the general welfare of the school.

School Efficiency.

The effectiveness of the laws of the state, however, depends in large measure upon their proper enforcement. The mere observance of the letter and not the spirit of the law is of little avail. Not the name of the subject, but its content is important. Mere formal instruction devoid of all vitality, in some or all the specified branches of the curriculum, profits but little. Unless the community does its part to provide suitable conditions, procure properly qualified teachers, and interests itself in the actual work of the school, the best results cannot be obtained, and the public school will fall short of performing its proper function. The attention, or lack of attention, now given to schools in many communities, will doubtless result in the future enactment of such laws and the promulgation of such measures as will tend to make the public school more truly effective.

Eighth-Grade Examination.

State control of eighth-grade examinations has evidently this end in view. Such examinations are now required in a number of the states.[37] Here should also be mentioned the examination required of eighth-grade graduates in Illinois in the awarding of scholarships entitling the holder to gratuitous instruction in any state normal school of Illinois for a period of four years.[38]

State Subsidies.

In the effort to make the elementary schools efficient, it has been found necessary for the state to assume greater and greater control. It has become recognized that, if the schools are to become efficient, not only must definite standards be demanded of all the schools, as a result of which are the various state requirements in respect to studies, which have just been examined, but genuine local interest in education must be aroused. To stimulate the growth, in the endeavor to improve educational oppor-

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[37] Cal., Sch. L. '13, p. 81, sec. 1663; Id. Sch. L. '13, p. 92, sec. 187; Ind., Sch. L. '11, p. 53, sec. 37; Mon., Sch. L. '13, p. 69, sec. 903; O., Sch. L. '12, p. 122, secs. 7740-7744; Ore., Sch. L. '13, p. 161, sec. 411; S. Dak., Sch. L. '13, p. 29, sec. 147; Wash., Sch. L. '13, p. 189, ch. 17.

[38] Ill., Sch. L. '12, p. 52, sec. 166.

tunities, the states are more and more extending their policies of giving financial support to the schools of the state.

"More and more each year the different states are endeavoring to extend financial assistance to the least wealthy communities by making direct appropriations for the expansion and improvement of the various grades of elementary schools. Connecticut, Florida, Maine, Maryland, Minnesota, Nebraska, Ohio, Utah, Virginia, West Virgina and Wisconsin may be selected as typical of what is being accomplished to raise educational standards by wisely directed financial assistance."[39]

State Supervision of School Buildings.

Besides the states are concerning themselves more and more with the indirect forces that make for efficiency of school work. Illustrative of this is the state control that is being increasingly exercised in the erection, construction and proper equipment of sanitary school buildings.[40]

The Centralizing Tendency a Recent Growth.

This control exercised by the state over the elementary schools is largely a development of recent years. In the earlier days, the subjects of instruction were few and every locality was practically a law unto itself.

"During the seventeenth century, the only subjects taught by legislative requirements in the colonies of Massachusetts Bay, Plymouth, Connecticut, New Amsterdam and New Sweden were reading, writing, religion and capital laws."[41]

"Bronson Alcott, the prominent educator, born in Massachusetts, in 1799, in describing the schools of his boyhood, says: 'Until within a few years no studies have been permitted in the day school but spelling, reading, and writing. Arithmetic was taught by few instructors on one or two evenings a week. But in spite of the most determined opposition arithmetic is now permitted in the day school.' This was in Massachusetts at the beginning of this century" (i. e. the 19th).[42]

The laws of Massachusetts, in 1789, required orthography, reading, writing, English grammar, geography, and decent behavior. In 1826, towns or districts containing fifty families or

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39 State School Systems, II, Bulletin No. 7, p. 86.

40 State School Systems, II, Bulletin No. 7, p. 119.

41 Dexter: History of Education in the United States, p. 156.

42 Cajori: The Teaching and History of Mathematics in the U. S., United States Bureau of Education, Circular of Information, No. 3, 1890, p. 9.

householders had to add arithmetic to the course. The act of 1857 provided for orthography, reading, writing, English grammar, geography, arithmetic, algebra, history of the United States, and good behavior (physiology and hygiene, optional). In 1860, drawing and music were made permissible and, in 1862, agriculture. In 1870, drawing was included among the branches, and all towns of 10,000 must provide for industrial and mechanical drawing to persons over fifteen. Six years later, sewing was made permissible. In 1885, physiology and hygiene with reference to the effects of stimulants and narcotics was required. Thus gradually the curriculum has been extended, and one subject after another has been made a legal requirement. The history of Massachusetts in this respect is typical of other states. More and more the state has increased its demands and made greater and greater efforts to improve the efficiency and usefulness of the schools. The increasing state control of the elementary curriculum is thus plainly recognizable, and constitutes one of the significant centralizing tendencies taking place in the educational administration.

CHAPTER III.

SECONDARY EDUCATION.

The Need of Secondary Education.

Whatever may be the view as to the purpose of the high school, it holds or should hold a most important place in the educational regime. The elementary school at best can but offer the very rudiments of an education and, without further training, the individual does not attain that development necessary for his highest efficiency. In the days of the pioneer, the time of brawn rather than brain, there was little time or occasion for secondary education. The common school answered the need of that early day, not because of its superior excellence, but because of the simple demands of the time. The elementary school of today, imperfect as it is, and far from attaining as yet that measure of effectiveness that it ought, does not suffer in comparison with the school of yore. The school of our forefathers was not that embodiment of thoroughness often ascribed to it, nor the creator of the great men and women that have gone forth from its door, and who have thrown about it a halo not at all its own. It was not so much the school, as the time, the occasion, and the environment, that fashioned these men and women who left their impress on the life of the nation. The conditions of life have so changed, socially, commercially, economically, that what was formerly amply sufficient is now wholly inadequate. Today, a secondary education is almost a necessity for thorough efficiency in any walk of life. This training is given during the most eventful period in the life of the individual, the most potent character-building period of all the years, and its importance well deserves the best thought and attention that can be given it.

The Origin of the High School.

The modern high school is largely a product of the last half of the 19th century. For a time, the academies[1] were the chief

[1] See chap. I, p. 14.

means for secondary education, but early in the 19th century there arose a demand for schools under public control. Various influences contributed to this end. Free elementary schools had become an established fact, and the idea of education under public control was abroad in the land. With the development of the elementary school system, there came to be a large number of children not intended for college or professional life who, nevertheless, were ready for further school privileges. Better social and economic conditions tended to increase this class. The first step to meet this growing demand for more extended training was taken by the larger towns and municipalities. The schools thus established as an upward extension or outgrowth of the elementary schools were regarded as the schools of the people, in contradistinction from the academies, the schools for those who were able to pay. The right of school authorities to thus maintain public high schools was established in the well-known Kalamazoo case.[2]

To Boston belongs the honor of establishing the first English high school in this country, in 1821. Before the Civil War, the number of high schools established was comparatively small. Dr. Harris estimates it at forty.[3] There were doubtless others which bore this name, though probably not much more than advanced elementary schools. By 1870, according to the same authority, the number had increased to at least 160, and by 1880, to 800. It is, however, especially the last decade or two that may be designated as a high school era. From 2,526 public high schools, with 202,963 students, in 1890, the number had increased to 8,960 schools and 770,456 students, in 1908,[4] and to 10,234 schools and 984,677 students, in 1910.[5]

State Requirements as to Courses of Study.

The early high schools were often founded under special charters and statutes, hence, it is difficult to determine their statutory provisions. The law usually provided that the studies to be pursued should be determined by the local board. While

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2 See chap. IV.

3 Harris: Recent growth of public high schools, etc. Proc. N. E. A., '01, p. 175.

4 U. S. Commissioner's Report, 1908, vol. 2, pp. 861, 865.

5 U. S. Commissioner's Report, 1911, vol. 2, p. 1184.

the legal enactments do not always keep pace with the needs and educational progress of the time, and the law doubtless does not reflect fully the place occupied by secondary education, the statutes of all the states and territories, without exception, contain some legislation on this important subject, and indicate the change that has taken place in respect to secondary school administration.

In the control of the secondary curricula today, the different states pursue as varying a policy, as they do in the elementary school, but the power of performing this function for the former is not yet vested so widely in state authorities as the latter. In twenty-four states,[6] the determination of the curriculum is left to the local school board (or board of education, board of directors, school committee, etc.) which, however, in a few cases must conform to some general authority or direction. In Arizona, the course of study must be approved by the State Board of Education;[7] in California, by the County Board of Education, except in cities and incorporated towns;[8] in Iowa, by the State Superintendent of Public Instruction.[9] The course of study of rural high schools in Michigan must be approved by the Superintendent of Public Instruction and the President of the Michigan Agricultural College.[10] In North Dakota, the State High School Board has the power to establish necessary and suitable rules regarding examinations, classification of schools and courses of study, and no state aid shall be granted by said board to any school until the report of the high school inspector has been examined and found satisfactory.[11] Six states[12] vest this power to formulate the high school curriculum in the state superintendent, while fourteen others[13] make it the duty of the state board of edu-

6 Arizona, Arkansas, California, Colorado, Connecticut, Idaho, Illinois, Iowa, Kentucky, Maine, Michigan, Massachusetts, Mississippi, Nebraska, New Mexico, North Dakota, New York, Oklahoma, Ohio, Rhode Island, South Dakota, Texas, Utah and Wyoming.

7 Arizona, Sch. L. '12, sec. 82.

8 California, Sch. L. '13, sec. 1750.

9 Iowa, Sch. L. '11, sec. 2776.

10 Michigan, Sch. L. '11, p. 157, sec. 4.

11 North Dakota, Sch. L. '11, chap. 267, secs. 1034, 1036.

12 Alabama, Missouri, North Carolina, Oregon (for the first two years of Co. H. S. The last two years are determined by the Co. H. S. B'd), Vermont, Wisconsin.

13 Delaware, Georgia, Indiana, Kansas, Louisiana, Maryland, Montana, New Jersey, Nevada, Oregon (for union H. S.), South Carolina, Tennessee, Virginia, West Virginia.

cation. Florida assigns this work to a committee consisting of the State Superintendent of Public Instruction and "of not less than six or more than ten most capable persons, of whom not less than one-third shall be presidents or principals of state institutions for higher education, and not less than one-third shall be principals of high or graded schools."[14] In Washington, it is the duty of the principal of each school, in all districts of the first class (districts maintaining high schools of not less than a two years course of study), to prepare a course of study, under the direction of the city board of education, which must be approved by the state superintendent before going into effect.[15] Pennsylvania makes it the duty of the superintendent having supervision of the high school, subject to the modification of school directors.[16] For Hawaii, the department of public instruction, consisting of the Superintendent of Public Instruction and six commissioners, prescribes the courses of study for high schools.[17]

Extent of State Control.

Eighteen[18] states prescribe specific requirements more or less extensive. For the county high schools of Tennessee the law provides:

"In every county high school shall be taught all the branches of study now required or permitted by law to be taught in the secondary schools, excepting and excluding the branches named to be taught in the five grades of the primary schools; and in addition such other high school branches may be taught as the Board of Education may prescribe as necessary to prepare pupils for college or for business. The county high schools shall be graded by the Board of Education under the general regulations of the State Superintendent and the supervision of the County Superintendent, beginning with the sixth grade, which sixth grade shall be adjusted for the admission of pupils who have completed the five grades of the primary schools."[19]

Indiana enacted in 1907 that:

"The public schools of the state be and are defined and distinguished as (a) elementary schools and (b) high schools. The

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14 Florida, Sch. L. '11, p. 35, sec. 78.

15 Washington, Sch. L. '13, p. 126, sec. 268.

16 Pennsylvania, Sch. L. '13, p. 95, sec. 1712.

17 Hawaii, Sch. L. '11, p. 9, sec. 25.

18 Cal., Fla., Ga., Kan., Me., Md., Mo., Mich., Neb., N. H., N. J., Okla., O., Ore., Tenn., Va., Vt., Wis.

19 Tennessee, Sch. L. '11, p. 39, sec. 4.

elementary schools shall include the first eight years of school work, and the course of study for such years that which is now prescribed or may hereafter be prescribed by law. The commissioned high schools shall include not less than four year's work, following the eight years in the elementary schools. The high school course in non-commissioned high schools shall be uniform throughout the state and shall follow a course to be established and amended or altered from time to time as occasion may arise, by the state board of education.

"The following enumerated studies shall be taught in all Commissioned high schools throughout the state, together with such additonal studies as any local board of education may elect to have taught in its high school: Provided, That such additions shall be subject to revision of the state board of education. Mathematics: Commercial arithmetic, algebra, geometry. History: United States, ancient, medieval or modern. Geography: Commercial or physical. English: Composition, rhetoric. Literature: English, American. Language (foreign): Latin or German. Science: Biology, physics or chemistry. Civil government: General, state. Drawing. Music."[20]

MINIMUM REQUIREMENTS.

California, Florida, Idaho, Kansas, Maine, Maryland, Missouri, New Hampshire, New Jersey, North Dakota, Oregon and Tennessee,[21] specify minimum requirements, which must be observed in the framing of the course of study.

The statutes of Florida require of the committee before mentioned that the "course of study shall require minimum requirements and shall be arranged as far as practicable to secure equality of mental power and training among those completing its instruction."[22] But the course of study "shall not prescribe unnecessary details as to order or methods of instruction, though it may recommend such details."[22]

The requirements in Oregon are as follows:

"The course of study for high schools in this state shall embrace a period of four years, above the eighth grade of the public schools of this state, and shall contain two years of required work, which shall be uniform in all high schools of the state. Such course of study for the two years of required work shall be laid down by the Superintendent of Public Instruction, after due consultation with all county and district high school boards in the

20 Indiana, Sch. L. '11, p. 112, secs. 133, 134.
21 See appendix.
22 Florida, Sch. L. '11, p. 35, sec. 78.

state. The course of study for the two years of optional work in all high schools shall be laid down by the county high school board in the county or the district school board in case of district high schools, after due consultation with the State Superintendent of Public Instruction; provided, that in any high school of this state it may be provided by the directors thereof that all or part of the two years of optional work in the high school course shall be devoted to industrial training. In high schools where industrial training is made part of the course, the required studies, and industrial training, may be interspersed throughout the four years' high school work, as may be deemed best by the board of directors of such school."[23]

The law in Missouri grants authority to the State Superintendent to classify the high schools of the state and prescribe minimum requirements for each class with this provision:

"No school shall be classed as a high school of the first class which does not maintain a four years' course of standard work in English, mathematics, science and history, for a term of at least nine months in a year, and which does not employ the entire time of at least three approved teachers in high school work; that no school shall be classed as a high school of the second class which does not maintain a three years' course of standard work in English, mathematics, science and history, for a term of at least nine months in the year, and which does not employ the entire time of at least two approved teachers in high school work; that no school shall be classed as a high school of the third class which does not maintain a two years' course of standard work in English, mathematics, science and history, for a term of at least eight months in the year, and which does not employ the entire time of at least one approved teacher in high school work."[24]

According to the rules and regulations of the State Board of Education of New Jersey, in order that schools may be classed as high schools, they must require for admission the successful completion of eight years of graded pre-academic work, or its equivalent, approved by the State Board of Education. To be classed as "Approved High Schools" they must meet the following conditions:

"All the regular courses of study must cover four full years of school work, and must be approved by the State Board of Education. The teaching and equipment must be approved by the State Board of Education, but such approval will not be granted unless three years of high school work are in operation. The

23 Oregon, Sch. L. '13, p. 136, sec. 338.

24 Missouri, Sch. L. '13, p. 112, sec. 10923.

teaching force must be adequate in number, and shall, in every case, consist of at least three teachers, each of whom shall be engaged exclusively in high school work. Diplomas shall be granted only to pupils who have completed a full four-year course, aggregating at least seventy-two academic counts. The counts shall be reckoned in accordance with the number of recitations per week of a school year of at least thirty-eight weeks, and the recitation periods shall average at least forty minutes."

A three-year high school will be registered as a "Partial High School" in case it meets the following conditions:

"All the regular courses of study must cover three full years of school work, and must be approved by the State Board of Education. The teaching and equipment must be approved by the State Board of Education, but said approval will not be granted unless at least two years of high school work are in actual operation. The teaching force must be adequate in number, and shall consist in every case of at least two teachers, each of whom shall be engaged exclusively in high school work. Certificates of graduation shall be granted only to pupils who have completed a full three-year course, aggregating at least fifty-four academic counts. The counts shall be reckoned in accordance with the number of recitations per week of a school year of not less than thirty-eight weeks, and the recitation periods shall average not less than forty minutes.

"Properly certified graduates of an approved high school shall be entitled to admission, without examination, to the two-year professional courses of the State Normal Schools. Properly certified graduates of a three-year partial high school shall be entitled to admission, without examination, to the three-year courses of the State Normal Schools. Certificates for work done may be granted by a local Board of Education to pupils who have not completed a full four-year high school course, but such certificates shall not be granted as diplomas; and must, in each case, state the number of years' work successfully completed. Holders of such certificates shall not be ranked as graduates from any course."[25]

Though in Ohio the district board of education frames the course of study, the law makes rather comprehensive regulations regarding it.

"A high school is one of higher grade than an elementary school, in which instruction and training are given in approved courses in the history of the United States and other countries; composition, rhetoric, English and American literature; algebra and geometry; natural science, political or mental science, ancient

[25] New Jersey, Sch. L. '11, p. 191.

or modern foreign languages, or both, commercial and industrial branches, or such of the branches named as the length of its curriculum makes possible. Also such other branches of higher grade than those to be taught in the elementary schools with such advanced studies and advanced reviews of the common branches as the board of education directs. The high schools of the state shall be classified into schools of the first, second and third grades. All courses of study offered in such schools shall be in branches enumerated in section seventy-six hundred and forty-nine (above quoted). A high school of the first grade shall be a school in which the courses offered cover a period of not less than four years, of not less than thirty-two weeks each, in which not less than sixteen courses are required for graduation. A high school of the second grade shall cover a period of not less than three years, of not less than thirty-two weeks each, in which not less than twelve courses of study are required for graduation. A high school of the third grade shall cover a period of not less than two years, of not less than twenty-eight weeks each, in which not less than eight courses of study are required for graduation. Public schools of a less grade shall be denominated as elementary schools. A course of study shall consist of not less than four recitations a week, continued throughout the school year."[26]

The Aim of the High School.

The aim of the high school is still an unsettled question. Shall it prepare for college and higher institutions of learning, shall it lead to special vocations, or shall it be in the interests of those for whom the high school is a finishing school? Only in a few states, California, Florida, Kansas, Massachusetts, Minnesota, Montana, Nevada, Ohio, Oklahoma, New Hampshire and Wyoming, does the law stipulate preparation for college. In this connection, the law in Missouri is of interest in that it requires that:

"All work completed in an accredited high school shall be given full credit in requirement for entrance to, and classification in, any educational institution supported in whole or in part by state appropriation."[27]

Kansas illustrates the attempt of meeting the requirements of preparation for college, as well as special and general needs. In regard to high schools, in counties of 6000 or over, the law stipulates:

"There shall be provided three courses of instruction, each requiring four years' study for completion, namely, a general

[26] Ohio, Sch. L. '12, p. 98, secs. 7649-55.
[27] Missouri, Sch. L. '13, p. 112, sec. 10923.

course, a normal course, and a collegiate course. The general course shall be designed for those who cannot continue school life after leaving said high school. The normal course shall be designed for those who intend to become teachers, and shall fully prepare any who wish to enter the first year of professional work of the State Normal School. The collegiate course shall fully prepare those who wish to enter the freshman class of the college of liberal arts and sciences of the State University, or of the State Agricultural College, or of any other institution of higher learning in this state. Whenever practicable, students in these courses shall recite in the same classes. Students in the last year of the normal course may be employed for a portion of their time in teaching the pupils of the first year in any course, and model schools shall be encouraged."[28]

Similarly in Massachusetts, the law is designed to have the curriculum meet the wants of all.

"Every city and every town containing, according to the latest census, state or national, five hundred families or householders, shall, and any other may, maintain a high school, adequately equipped, which shall be kept by a principal and such assistants as may be needed, of competent ability and good morals, who shall give instruction in such subjects designated in the preceding section as the school committee considers expedient to be taught in the high school, and in such additional subjects as may be required for the general purpose of preparing pupils for admission to state normal schools, technical schools, and colleges. One or more courses of study, at least four years in length, shall be maintained in each such high school, and it shall be kept open for the benefit of all inhabitants of the city or town for at least forty weeks, exclusive of vacations, in each year. A town may cause instruction to be given in a portion only of the foregoing requirements, if it makes adequate provisions for instruction in others in the high school of another city or town."[29]

State Aid.

In the development of secondary education, state aid has been and is playing a very important part. Not only is the burden of local taxation lightened through this means, but local interest and endeavor for the maintenance of educational opportunities is stimulated. Thus the law in Minnesota provides:

"The high school board shall have full discretionary power to consider and act upon applications of high schools for state aid

[28] Kansas, Sch. L. '13, p. 130, sec. 379.
[29] Massachusetts, Sch. L. '11, ch. 42, sec. 2.

and, subject to the provisions of this act, may prescribe the conditions upon which such aid will be granted; and it shall be its duty to accept and aid such high schools only as will, in its opinion, if aided, efficiently perform the services contemplated by law; but not more than nine schools shall be aided in each county in any one year. Any school accepted and continuing to comply with the law and regulations of the board, made in pursuance thereof, shall be aided not less than two years. In case any state graded school, as hereinafter provided, shall have attained such a degree of proficiency as to entitle it to promotion to a high school, and the state high schools in the county shall have already reached the number of nine, such graded school, in the discretion of the board, may be so promoted, and take the place of the high school in the county first receiving state aid for the period of at least two years; that any state high school so deprived of state aid shall continue under the supervison of the board, with all the privileges, except state aid, of a preparatory school for the University of Minnesota."[30]

Alabama (since July, 1911) makes a state appropriation of $3,000 annually to any county high school which meets certain requirements as to site and building.[31]

MANUAL AND INDUSTRIAL TRAINING.

Manual and industrial training have received special recognition in a number of states. Indiana, Illinois, Maryland, Maine, Nebraska, Oregon, Vermont, Wisconsin, make special provision in this respect. The Maine law is of interest because of what it excludes as well as what is included.

"The course of study in the free high schools shall embrace the ordinary English academic studies which are taught in the secondary schools, especially the natural sciences in their application to mechanics, manufactures and agriculture; but the ancient or modern languages and music shall not be taught therein, except by direction of the superintending school committees having supervision thereoof."[32]

Wisconsin offers special state aid to those high schools which add manual training to their curriculum and comply with the specified conditions of the law.[33]

Vermont, in 1908, enacted:

"Any high or grammar school whose course of study or out-

30 Minnesota, Sch. L. '13, p. 85, sec. 248.
31 Alabama, Sch. L. '11, p. 73, sec. 1862.
32 Maine, Sch. L. '13, p. 25, sec. 59.
33 Wisconsin, Sch. L. '11, p. 197, sec. 496b.

line or work in manual training has been approved by the state superintendent of education may, upon application, be placed upon an approved list of schools maintaining manual training departments. A school once entered upon such list may remain there and be entitled to state aid so long as the scope and character of its work are maintained in such manner as to meet the approval of said superintendent. On the first day of July, in each year, the clerk of each school board maintaining a school on the approval list or the city superintendent of any city where such an approved school is maintained, shall report to the state superintendent of education in such form as may be required, setting forth the facts relating to the cost of maintaining the manual training department thereof, the character of the work done, the number and names of teachers employed, and the length of time such department was maintained during the preceding year. And upon the receipt of such report, if it shall appear that the department has been maintained in a satisfactory manner for a period of not less than six months during the year, the said superintendent shall make a certificate to that effect and file it with the auditor of accounts. Upon receiving such certificate, the auditor of accounts shall draw an order for two hundred and fifty dollars, payable to the treasurer of the town, city or district, maintaining the school; provided, that the total amount expended for such purpose shall not exceed five thousand dollars in any year."[34]

In Maryland, the state board of education divides all county high schools receiving state aid into two groups, according to the number of pupils enrolled, the teachers employed, and the years of instruction given.[35]

Those in the first group shall receive "the sum of $600, on account of the principal, and the sum of $300, on account of each of the first three assistants employed for regular high school work; the sum of $400, on account of each of two special teachers, who shall spend not less than two-thirds of their time in the school receiving said amounts; and the sum of $100, on account of each additional regular grade teacher, provided the total amount does not exceed the sum of $2,500.[36] Those of the second group shall receive "the sum of $600, on account of the principal; the sum of $400, on account of one assistant teacher, employed for regular high school work; and the sum of $400, on account of the instructor of special subjects, to be designated by the county school board: provided, that if an instructor in manual training or agricultural work be required to divide his time among

[34] Vermont, Sch. L. '11, p. 26, No. 40, Acts of 1908.
[35] Maryland, Sch. L. '12, p. 50, sec. 126.
[36] Maryland, Sch. L. '12, p. 52, sec. 128.

not more than four schools of this group, $150 shall be allowed on account of each of such schools."[36]

AGRICULTURE.

Agriculture has received special attention. In Nebraska, after stating that the joint high school manual before mentioned shall be the course of study, the law for county high schools specifies:

"And in addition thereto there shall be taught and practiced in the ninth and tenth grades, manual training, domestic science and the elements of agriculture, and in the eleventh and twelfth grades, normal training and the theory and practice of agriculture, and for the purpose of such teaching and practice the Board of Regents is hereby authorized to purchase the necessary apparatus and materials for those purposes. The board of County Commissioners or County Supervisors shall purchase a tract of land not less than five acres, conveniently situated to such county high school, for actual practice by all the students or a part of the students, under the direction of a competent instructor, for experimentation in all forms of agriculture."[37]

The new state of Oklahoma, however, has so far taken the farthest step in this direction.

"There shall be established in each of the supreme court judicial districts a district agricultural school of secondary grade for instruction in agriculture and mechanics, and allied branches, and domestic science and economies, with courses of instruction leading to the Agricultural and Mechanical College, and the state normals. Each of said agricultural schools shall be provided with not less than eighty acres of land, without cost to the state, and deeded in perpetuity to the state. The location, operation, and equipment of said agricultural schools shall be under the administration of the state commission of agricultural and industrial education, subject to the approval of the board of agriculture.

"There shall be an experimental farm, operated by each of said agricultural schools, on which careful trials shall be made of the best fruits, vegetables, flowers, field and forage crops, fertilizers, and stock feeds for that section, as well as the systems of dairying, drainage, irrigation and farm management that may be considered of practical value and adapted to the needs of the people in such supreme court judicial districts; Provided, That each district agricultural school shall make at least one report annually to the governor of the state, covering all work done, its

[36] Maryland, Sch. L. '12, p. 52, sec. 128.
[37] Nebraska, Sch. L. '13, p. 57, sec. 120.

cost, the results, and the probable value of such experiments, which report shall be published for free distribution to farmers, fruit and vegetable growers and stockmen in the supreme judicial districts in which said school is located. There shall be held annually by each of said agricultural schools a farmers' short course, extending over at least one week, and embracing practical and elementary scientific instruction in those branches of agriculture that may be deemed most important in the supreme court judicial district in which any such agricultural school is located at the time such short course of instruction is to be provided, including a course in domestic economy, canning, preserving and cooking."[38]

Georgia, in 1906, passed an act providing for the establishment and maintenance of schools of agriculture and mechanic arts in the congressional districts of the state.

"Be it further enacted, That the course of studies in said schools shall be confined to the elementary branches of an English education, the practical treatises or lectures on agriculture in all its branches, and the mechanic arts, and such other studies as will enable students completing the course to enter the freshman class of the State College of Agriculture on certificate of the principal. Be it further enacted, That the faculty of such schools shall consist of the principal, who shall be an intelligent farmer; one superintendent and instructor in farm work, one intelligent mechanic, who shall direct and instruct in all mechanical work in and out of the shops; one practical instructor in care of stock and dairying, one instructor in English, and such other instructors and assistants as the funds of the college may permit. That the trustees may dispense with and combine the duties of any of the above, as necessity may require, and it shall be the duty of said instructors in said schools to co-operate in conducting farmers' institutes and farm and stock demonstrations in the several counties of their respective districts. Be it further enacted, That after the first buildings are erected, before the opening of such school, which shall be only such as are absolutely necessary for temporary use, all work on, in and about such schools, or on the farm, or on or in the barns and shops connected with said schools, whether it be farming, care of stock, or work of whatever kind, shall be performed exclusively by the students of said schools, under such regulations for the proper division and alternation in such work as may be provided by the trustees."[39]

Texas makes it the duty of the State Board of Education "to duplicate by an appropriation out of money provided for by this Act an amount not less than five hundred dollars, nor more than

[38] Oklahoma, Sch. L. '12, p. 65, secs. 235, 237, 238.
[39] Georgia, 1906, Act No. 448.

fifteen hundred dollars, that shall have been set apart by the trustees of a public high school of the first class or of the second class, the establishment of which is herein authorized, or any such high school that has already been established in either a common school district or an independent district, for establishing, equipping and maintaining a department of agriculture; an amount of not less than five hundred dollars, nor more than one thousand dollars, that shall have been set apart by the trustees of any such high school for establishing, equipping and maintaining a department of domestic economy; and an amount of not less than five hundred dollars, nor more than one thousand dollars, that shall have been set apart by the trustees of any such high school for establishing, equipping and maintaining a department of manual training; an amount of not less than five hundred dollars, nor more than one thousand dollars, that shall have been set apart by the trustees of a public high school of the third class in a common school district for establishing, equipping and maintaining a department of agriculture; provided, that not more than two thousand dollars shall be appropriated by the State Board of Education for the purpose mentioned to any one high school during the same scholastic year; and provided further, that such appropriation shall not be made more than twice to the same school. The board of trustees of the high school applying for state aid for establishing, equipping and maintaining a department of agriculture, domestic economy or manual training, shall provide ample room and laboratories for the teaching of each subject or subjects, and in connection with the department of agriculture in the high school, shall provide a tract of land, conveniently located, which shall be sufficiently large and well adapted to the production of farm and garden plants, and shall employ a teacher who has received special training for giving efficient instruction in the subject."[40]

Selection and Adoption of Textbooks.

Other means of state control of elementary and secondary education should be referred to in this connection. These, while not made a special study here, yet because of their decided influence, must be briefly considered. The selection and adoption of textbooks has no small influence on the effectiveness of any system of schools. Every state, with the exception of Alabama, which allows county option in this matter, prescribes some sort of uniformity. Twenty states[41] prescribe district, town, or township

40 Texas, Sch. L. '13, p. 56, sec. 141.

41 Ark., Col., Conn., Ill., Ia., Me., Mass., Mich., Minn., Nev., N. H., N. J., N. Y., N. Dak., O., Pa., R. I., Vt., Wis., Wyo.

uniformity, eight[42] county uniformity, thirteen[43] state uniformity. Where the district, town or township system prevails, the local boards select the books. In New York, the voters in the annual meeting perform this duty. Ohio limits the district board in its selection to a list prepared by the state textbook commission, while in Wyoming, the state superintendent procures samples and quotations of prices for the benefit of local boards. Of the states having county uniformity, four have special textbook boards; in the others, the selection of textbooks is a function of the county board of education. Of the states requiring state uniformity, one-half have special textbook boards, while in the rest, the textbook question is settled by the state board of education. California publishes its own textbooks for elementary schools, but has discontinued the practice of employing local educators to compile such books. Similar publication under contract is authorized by law in Kansas, Indiana, South Dakota, Texas and Tennessee.[44]

Examination and Certification of Teachers.

Another very important means of state control of elementary, as well as secondary education, is the preparation, examination, and certification of teachers. That the efficiency of any school is directly dependent on the fitness of the teacher for his work is self-evident, and hence the efforts being made for the professional education and training of teachers represents one of the most significant phases of educational development. The organization and improvement of departments and schools of education in universities and colleges, state and city normal schools, training schools, teachers' institutes, and summer schools are all indicative of the greater and greater attention that the academic and professional preparation of teachers is receiving. The very presence of these agencies and their increasing activity is evidence of the demand for better qualified teachers.

"In all grades of public schools the greatest demand of the present is for more and better qualified teachers. The demand for qualified teachers in villages and cities has in the great majority of states greatly exceeded the supply of graduates from the nor-

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42 Fla., Ga., Ky., Md., Miss., N. C., S. Dak., W. Va.
43 Cal., Del., Ida., Ind., Kan., La., Mo., Mon., Nev., Ore., S. C., Utah, Va.
44 Dexter: History of Education in the U. S., p. 219.

mal schools and other schools for the professional training of teachers."[45]

One of the most interesting phases of legislative activity is that pertaining to the professional education and training of teachers. Two tendencies in this are plainly recognizable: the gradual raising of the standard of academic and professional requirements for certification and the centralization of this certification in state authorities. More and more this power is being withdrawn from county officers and boards and vested in state officials.

"Each year the legislative evidence becomes plainer that the control and regulation of the examination and certification of teachers entirely by the state is to become a settled principle of American school administration and supervision."[46]

Centralization of Control.

Though it is thus fully apparent that the state is exercising an increasing control over high school curricula, much is left to local communities to make the same effective. State control, however, does not mean necessarily lack of local freedom. Thus, in Minnesota, the high schools are remarkably free to frame their own courses of study.

"The only rule of the High School Board relative to courses of study is one requiring four years of English and twelve other credits—in all, sixteen credits for graduation. A credit is defined as a subject pursued as one of four for a year. The make-up of this list of twelve credits is left entirely to the superintendent, acting under direction of the local board of education. The State University requires candidates to present four credits in English, two and one-half credits in mathematics, and eight and one-half other credits chosen from a long list—in all fifteen credits. The difference of one credit between the University and state standards enables the high schools to fill in the sixteenth credit with any subject for which there may be local or temporary demand. In this way many schools are able to offer college preparatory students advanced work in the history of English literature, bookkeeping, commercial arithmetic, senior common branches, manual training, drawing and many other subjects."[47]

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[45] State School Systems, Bulletin No. 7, p. 174.

[46] State School Systems, Bulletin No. 3, p. 69.

[47] Aiton: Standards of Graduation. Biennial Report of the Superintendent of Public Instruction of Minnesota, 1907 and 1908.

That the tendency, however, is toward state control in secondary education is evident. The entire foregoing consideration substantiates this. It has been found necessary on the part of the state, in order to induce the various localities to make the most of their opportunities, to exercise increasing control over the various educational forces, in order that such secondary schools may be maintained as will best meet the needs of all concerned.

CHAPTER IV.

FOREIGN LANGUAGE INSTRUCTION.

Language a Vehicle of Thought and Expression.

Language and literature have, with all civilized people, held a prominent place in education. While there may be human intelligence independent of language, there cannot be any progress beyond a very rudimentary stage without adequate means of expression.[1] Without it human thought is barely possible[2] and singularly limited in its scope. It is the mold which the product of mind assumes to become valuable and significant for other minds. As mind grows only through its own self-activity, the key to the world of thought and fancy and imagination which language symbolizes lies in the vital experience of the conscious mind. This

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1 "Language and ideational processes developed together and are necessary to each other."—Judd: Psychology, p. 253.

"In all cases where the intellectual processes issue in the formation of genuine conception, it is the giving of a name which, on the one hand, so fixes for the individual using it the mental act of synthesis as to make its result capable of recall, and, on the other hand, serves as the means of awakening corresponding intellectual processes in others. But this is the same thing as to say: The name is the support and the vehicle of the conception. If we raise the question as to how the name thus operates, we can answer it psychologically only by rehearsing the same mental processes which terminate in giving the name, and which are reproduced by thinking out the meaning of the name. For human beings who are capable of learning to speak, and who have actually learned to speak, words are the indispensable support and vehicle of their truly conceptual thinking. Without words, thinking lapses into a mere succession of acts of image making; or else it awkwardly strives to substitute for its natural facile correlate some other form of motor activity. That is to say, without words thinking either ceases to be thinking, or else it adopts some other less useful form of movable type."—Ladd: Psychology, Descriptive and Explanatory, p. 457.

2 "Language is to the mind precisely what the arch is to the tunnel; the power of thinking and the power of excavation are not dependent on the word in one case or on the mason work in the other; but without these subsidiaries, neither process could be carried beyond its rudimentary commencement."—Sir Wm. Hamilton: Logic, Lecture VIII.

world will be found full and rich in meaning as the acquired vernacular has become vitalized in living, conscious experience.[3]

Language a Unifying Force.

But not only because of its significance to the individual, but because of its value to society and to the state, is the mother tongue of supreme moment. Speech is the condition of social intercourse, the means that makes possible human organizations. Through language the individual shares in the life of the community and participates in the interchange of thought and feeling that forms the social mind. Language belongs to the community not to the race. The members of the community may owe their origin to different tribes and races. Community of speech carries with it community of culture, and identity of language and culture tends to create race identity. This is an easily recognized fact in the history of nations. The German empire may be said to owe its growth and strength to this measure. That a common language is considered a strong unifying force is shown, today, in the policy of Russia toward Poland.[4] When the latter came under the control of the former, the Russian language was made the language of the schools, as well as of all governmental and official relations, and to this day every possible advantage is accorded the Russian language, while every obstacle is placed in the way of the Polish. In the Russianizing of Finland[5] a like policy is followed, and Germany pursues a similar course in refer-

[3] "Mind grows only in so far as it finds expression for itself; it cannot find it through a foreign tongue. It is round the language learned at the mother's knee that the whole life of feeling, emotion, thought, gathers. If it were possible for a child or boy to live in two languages at once equally well, so much the worse for him. His intellectual and spiritual growth would not thereby be doubled, but halved. Unity of mind and character would have great difficulty in asserting itself in such circumstances. Language, remember, is at best only symbolic of a world of consciousness, and almost every word is rich in unexpressed associations of experience which give it its full value for the life of mind. Subtleties and delicacies and refinements of feeling and perception are, at best, only suggested by the words we use and by their context. The major part lies deep in our conscious or half-conscious life, and is the source of the tone and color of language and of its wide-reaching unexpressed relations. Words, accordingly, must be steeped in life to be living; and as we have not two lives, but only one, so we can have only one language."—Laurie: Lectures on Language and Linguistic Method in the School, 4th edition, pp. 18, 19.

[4] A History of All Nations, vol. XIX, p. 78.

[5] A History of All Nations, vol. XX, p. 252.

ence to the German language in Alsace Lorraine[6] and Prussian Poland. While these countries are, probably, not achieving from their policies what was expected, because of the objectionable way in which the Russian and German languages have been forced upon their dependencies, calling forth race prejudice, nevertheless it is one of the chief agencies upon which they are relying for final assimilation.

When the Phillippines came into the possession of the United States, one of the first things done by the government was the establishment of a system of education. Not only was a prominent place assigned to English, but it was made the medium of all instruction. Similar steps were taken with reference to Porto Rico to transplant the free American Public School to that tropical land.

In a country like the United States, where people have gathered from every land and clime, bringing with them different interests, different social and political traditions, the subject of foreign language instruction has necessarily received greater or less attention. From 1821 to 1903, the total number of immigrants that came into the United States aggregated 21,265,723,[7] equal to one-fourth of the present population of the entire country. This immense influx of population included almost every nationality under the sun. Of this immigration, Germany furnished 24%; Ireland, 19%; England, Scotland and Wales, 13%; Austria Hungary, Italy, and Russia and Poland, 21%. What shall be the language that the schools shall foster? Shall the people ultimately speak one tongue or many tongues? Shall their main interest lie in the English language, or shall each nationality magnify the importance of its own native tongue and perpetuate the ideas and tendencies peculiar to its own native source? In order that a nation composed of so many different races may maintain its integrity, every influence must prevail that will conduce to the making of a homogeneous, rather than a heterogeneous, people.[8]

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6 A History of All Nations, vol. XIX, p. 399.

7 Emigration to the U. S., 1904, Special Consular Reports, vol. XXX, p. ix.

8 "The public school system has a great Americanizing influence on foreigners. The difficulty of assimilating so many different foreign

elements and so many persons of foreign birth is lessened through the public school, for the children coming to this country, and those of foreign born parents, must, in order to meet with fair success, learn the principles of American institutions and the English language, and secure the training of the public schools; without these schools there would be in America groups or communities of persons of different nationalities, preserving their own language and racial characteristics. This would weaken republican institutions, and make the question of immigration far more difficult than at present. Notwithstanding the great influence of the public schools, however, such communities exist in small degree, but they gradually lose their importance. The great watchword of America is that all persons here must become Americans." —Wright: Practical Sociology, p. 185.

"In America, on the other hand, we have attempted to unite all races in one commonwealth and one elective government. We have, indeed, a most notable advantage compared with other countries, where race divisions have undermined democracy. A single language became dominant from the time of the earliest permanent settlement, and all subsequent races and languages must adopt the established medium. This is essential, for it is not physical amalgamation that unites mankind; it is mental community. To be great, a nation need not be of one blood, it must be of one mind. . . . If we think together, we can act together, and the organ of common thought and action is common language."—Commons: Races and Immigrants in America, p. 20.

"Just as the use of Latin and of the Vulgate maintained a sort of unity among Christian nations and races, even in darkest and most turbulent centuries of the Middle Ages, so the use of Latin and Greek throughout the whole Roman Empire powerfully tended to draw its parts together."—Bryce: Studies in History and Jurisprudence, p. 60.

"Language is at once the bond and creation of society, the symbol and token of the boundary between man and brute."

"Language is a social product, at once the creation and the creator of society."—Sayce: Introduction to the Science of Language, pp. 2, 133.

"German and Dutch and Celtic forefathers combine to form the giant family of the United States; but there is one cause forever at work to cement all these varieties of origin and to compel the American people, as a whole, to be proud as we are of their affinity with the English race. What is the cause? What is that agency? Is it not that of one language in common between the two nations? It is in the same mother tongue their poets must sing, that their philosophers must reason, that their orators must argue upon truth or contend for power. I see before me a distinguished guest, distinguished for the manner in which he has brought together all that is most modern in sentiment with all that is most scholastic in thought and language; permit me to say, Mr. Mathew Arnold. I appeal to him if I am not right when I say that it is by a language in common that all differences of origin sooner or later we are welded together—that Etruscans, and Sabines, and Oscans, and Romans, became one family as Latins once, as Italians now? Before that agency of one language in common have not all differences of ancestral origin in England, between Britons, Saxons, Danes and Normans, melted away; and must not all similar differences equally melt away in the nurseries of American mothers, extracting the earliest lessons of their children from our own English Bible, or in the schools of preceptors who must resort to the same models of language whenever they bid their pupils rival the prose of Macaulay and Prescott, or emulate the verse of Tennyson and Longfellow?"—Bulwer-Lytton: Farewell to Charles Dickens, Modern Eloquence, vol. II, p. 776.

The problem of assimilation in the United States has become more difficult through the massing of immigrants in nationalities. Foreign language instruction is naturally of special interest to such localities. That, e. g., the Germans of Pennsylvania, and in such cities as Milwaukee and Cincinnati, the French in Louisiana, or the Spanish in New Mexico should look with special favor upon their mother tongue would naturally be expected. During the past fifteen years, too, the character of our immigrants has decidedly changed. Instead of the Teutons and Celts, there come to the United States today the emigrants from southern and eastern Europe.

"Of the total immigration in 1903, Germany and the United Kingdom furnished only 12 per cent, while Austria-Hungary, Italy, and Russia and Poland furnished 68 per cent."

Instead of going to sections where labor is needed and becoming diffused over this extensive country, they flock to the larger cities, there to form "little Italies, "little Hungaries," "little Germanies," "Lyrian colonies," and "Jewish colonies." Thus separated from American influence, instead of becoming assimilated, they perpetuate that ignorance of our laws, customs, political and moral ideas, that constitutes one of their chief dangers. The greater the number of points of contact between different races the more rapid will be the assimilation. Any institution or instrumentality whatsoever, whose purpose it is to keep alive and prosper the characteristics peculiar to a particular foreign race and not in the interest of the whole people, will but delay this process of assimilation, without which modern nations as they exist today would be impossible. It is here that parochial and private schools, whatever valuable function they may perform, in so far as a foreign tongue, whether German, or French, or Polish, or what not, is made the basis of instruction, thus giving a foreign rather than an American education, may be a detriment to the nation, as well as a real harm to the community whose progress they retard.

Hence, it follows that in the United States, the English language must hold a pre-eminent place in any system of education.[9]

[9] "Language and literature are not merely liberalizing, they are humanizing studies. Through the humanity in them we realize our own individual human capacities. Now the language and literature which best serve this ultimate end of self realization are our own. Consequently, the vernacular is the beginning and the end of a liberal education. The Greeks, to whom we owe our ideal of culture, knew no language but their own. But the minds of Greek school boys were steeped in their own noble literature. For our youth, too, I conceive that the essential and indispensable element in a generous culture is the English language and literature."—Schurman: The Report on Secondary School Studies. The School Review, vol. II, p. 93.

The immigrant, however much he may prize his native tongue, must for the sake of the nation, as well as for personal and social interests, become Americanized. He must accept the language of his adopted country, and he may well consider himself fortunate that this is the English language, the language so rich in culture, so full of the best of human thought and feeling, the language of Chaucer, of Milton, and of Shakespeare.

Value of Foreign Language Study.

While English must thus receive so much attention in our educational regimes, the foreign languages are of no mean value in education, though subordinate to that of the mother tongue. The close affinity between them and the English language makes some acquaintance with the former almost a necessity for a clear understanding and full appreciation of the latter.[10] For advanced scholarship, they open up new avenues of approach and constitute an indispensible condition for research in many fields of work. The chief consideration in regard to the modern languages, where taught in the elementary schools, is doubtless their commercial and social value. That this end is realized is much to be doubted. Inasmuch as a foreign tongue may only be studied as a subject of study (see succeeding pages of this chapter), the actual work done can be but very elementary.

"It is not worth while, as a rule, that the study of a foreign language be taken up in the primary grades (grades below the high school), unless the beginner has at least a prospect and an intention of going on through the secondary school. The reason for this opinion is that what can be acquired of a foreign language in the primary grades, even with the best of teaching, and under the most favorable conditions, is good for nothing except as a foundation. For while it is true that children learn quickly and easily the rudiments of 'conversation' in a foreign tongue, it is also true that they forget them no less quickly and easily. The children of parents who speak German at home, and expect to speak it more or less all their lives, may be taught in the primary school to use the language a little more correctly; but if they

[10] "To the mother tongue, then, all other tongues we acquire are merely subsidiary; and not to speak here of the introduction these languages give us to other literatures, their chief value in the education of youth is that they help to bring into relief for us the character of our own language as a logical medium of thinking, or help us to understand it as thought, or to feel it as literary art."—Laurie: Lectures on Language and Linguistic Method in the School, p. 19.

leave school at the age of twelve or fourteen, they inevitably drop back into the speech habits of those with whom they associate, and their school training thus becomes, so far as the German language is concerned, a reminiscence of time wasted. The children of parents who speak English at home may get a smattering of German at school; but if they leave school at the age of twelve or fourteen, they soon forget all they have learned."[11]

In the high school, foreign language, especially Latin, has usually been assigned a prominent place in the curriculum. In former days, the presence of Latin was doubtless largely due to tradition. Today, aside from the disciplinary and liberalizing value claimed for foreign language study, French and German serve the purpose of preparation for intellectual pursuits, as well as a useful acquisition for business and travel. To what extent these values can and are realized is open to debate. This is a question of educational values. With the change of view on this subject and the gradual disappearnce of the theory of formal discipline, foreign language will in the future, doubtless, be assigned a less prominent place.

Foreign Language As a Medium of Instruction.

The control exercised over foreign language instruction by the various states in their constitutions and laws is evidently such as the interests of the state and local conditions demand. The study of language may be considered from two standpoints, as a medium of instruction and as a subject of instruction. As to the former, three states[12] in their constitutions and fourteen others[13] in their laws (also Louisiana, by implication) make it mandatory that all instruction shall be in the English language, while two[14] permit the use of a foreign tongue under certain conditions.

The statutes of Colorado provide:

"Whenever the parents or guardians of twenty or more children of school age shall so demand, the board of such school dis-

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11 Report of the Committee of Twelve of the Modern Language Association of America, Proceedings N. E. A., '99, p. 727.

12 Ga. art. 8, sec. 1; La. art. 251; Mich. art. XIII, sec. 4.

13 Ariz., L. '12, p. 32, sec. 73; Cal., L. '13, p. 82, sec. 1664; Col., L. '14, p. 133, sec. 239; Hawaii, L. '11, p. 11, sec. 29; Ind., L. '11, p. 108, sec. 123; Iowa, L. '11, p. 31, sec. 2749; Kan., L. '11, p. 70, sec. 162; La., L. '12, p. 21, sec. 16; Minn., L. '11, p. 57, sec. 148; Mon., L. '11, p 122, sec. 912; Ohio, L. '12, p. 119, sec. 7729; Okla., L. '12, p. 17, sec. 44; N. Dak., L. '11, p. 34, sec. 93; Tex., L. '13, p. 33, sec. 79; Wis., L. '11, p. 112, sec. 447.

14 Col., La.

trict may procure efficient instructors and introduce the German and Spanish languages, or either of them, and gymnastics, as a branch of study into such school; and said district board may upon like demand of the parents and guardians of children of school age, procure efficient instructors to teach the branches specified in said section fifteen, in the German and Spanish languages, or in either of said languages, as said board may direct."[15]

The branches here referred to are the regular branches of the common school course. The Louisiana school code, after enumerating the branches of study, stipulates:

"Provided, that these elementary branches may also be taught in the French language in those localities where the French language is spoken; but no additional expense shall be incurred for this cause."[16]

The intention evidently is to make the instruction, as far as law can do it, English, in the interests of the individual as well as of the state and of the nation.

That this is a question of English as a means of instruction rather than a prohibition of a foreign language as a subject of study has been tried in the courts and fully established. In Michigan, one of the states whose constitution requires instruction to be in English, the judgment was rendered, in 1874, in the famous Kalamazoo case, in which a judicial determination was sought as to the right of school authorities to levy taxes upon the general public for the support of high schools and for the instruction of children in other languages than the English, that there was nothing, either in the state policy, or in the constitution, or in the statutes, restricting the primary school districts of the state in the branches of knowledge to be taught, or in the grade of instruction to be given, or prevent instruction in the classics and living modern languages in these schools, if the voters of the district consent in regular form to bear the expense, and raise the taxes for this purpose.[17]

While in a few states, in some localities, a foreign tongue may have been used as a means of instruction, such practice was but temporary, in the interest of these places inhabited wholly by non-English speaking people, and the tendency is to discontinue

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15 Colorado, Sch. L. '14, p. 133, sec. 239.

16 Louisiana, Sch. L. '12, p. 21, sec. 16.

17 Stuart v. School Dist. No. 1 of the village of Kalamazoo, 30 Mich., 69.

such use.[18] This view seems furthermore to be borne out by recent legislation in New Mexico. Although the former law specifically provided for English as the medium of instruction, yet a section[19] pertaining to the qualification of teachers provided:

"A legally qualified teacher to teach in any school district or incorporated town or city shall be one who possesses a certificate of attendance upon some county or city normal institute, or summer school, or has an approved excuse for non-attendance; and in school districts where the *only language spoken is Spanish the teacher shall have a knowledge of both Spanish and English.*"

The natural inference to be made is that Spanish was to be utilized as a means of instruction. A law passed in 1907 repealed among other sections the one above mentioned.[20]

Foreign Language As a Subject of Study.

In regard to a foreign language as a subject of study, eleven states[21] explicitly permit it, while eighteen[22] provide for the addition of other subjects not mentioned in the law. While twenty-four[23] are silent on this matter, judicial decisions in various states have established the principle that a foreign language may form a branch of study in the public schools, whether specifically enumerated in the law or not. A recent law of California provides for the establishment of a cosmopolitan school in cities of the first class.

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18 Information recently furnished me by school authorities of Col., La., N. Mex., Pa. and Tex. leads to this conclusion.

19 Sec. 1526, R. S. 1897.

20 Ch. XCVI, Sec. 30, Laws of 1907.

21 Col., Sch. L. '14, p. 133, sec. 239; Hawaii, Sch. L. '11, p. 11, sec. 29; Ind., Sch. L. '11, p. 108, sec. 123; Iowa, Sch. L. '11, p. 31, sec. 2749, La., Sch. L. '08, p. 103, sec. 212; Mass., Sch. L. '11, p. 17, sec 1; Minn., Sch. L. '11, p. 57, sec. 148; Ohio, Sch. L. '12, p. 119, sec. 7729, Ore., Sch. L. '11, p. 89, sec. 219; Tex., Sch. L. '09, p. 23, sec. 79; Wis., Sch. L. '11, p. 112, sec. 447.

22 Cal., Sch. L. '13, p. 82, sec. 1666; Conn., Sch. L. '12, p. 17, sec. 40; Ill., Sch. L. '12, p. 55, sec. 179; Kan., Sch. L. '11, p. 70, sec. 162; Me., Sch. L. '11, p. 36, sec. 100; Mich., Sch. L., '11, p. 57, sec. 4748; Neb., Sch. L. '11, p. 48, sec. 3; N. H., Sch. L. '11, p. 36, 92; N. C., Sch. L. '11. p. 26, sec. 4087; N. Dak., Sch. L. '11, p. 29, sec. 75; Ohio, Sch. L. '12, p. 98, sec. 7648; Okla., Sch. L. '12, p. 17, sec. 44; Pa., Sch. L. '13, p. 91, sec. 1607; S. C., '12, p. 17, sec. 1731; S. Dak., Sch. L. '11, p. 21, sec. 81; Tex., Sch. L. '13, p. 32, sec. 78; Va., Sch. L. '10, p. 72, sec. 84; Wash., Sch. L. '13, p. 49, sec. 89.

23 Ala., Ariz., Ark., Conn., Del., Fla., Ga., Ida., Ky., Md., Miss., Mo., Mon., N. Mex., Nev., N. H., N. J., N. Y., R. I., Tenn., Utah, Vt., W. Va., Wyo.

"The board of education in every city of the first class shall establish and maintain in each of said cities of the first class at least one public school in which shall be taught the French, Italian and German languages, in conjunction with the studies in the English language prescribed to be taught by section 1665 of the Political Code of the State of California. Such schools shall be designated as cosmopoitan schools, and shall be subject to such rules and regulations as may be prescribed by said boards of education of said cities of the first class wherein said school or schools shall be established and maintained."[24]

Judicial Decisions Regarding Foreign Language Instruction.

These decisions are not isolated or confined to one state. Thus among others, aside from the Michigan case before referred to, establishing the right of the study of the classics and the modern languages to a place in the elementary curriculum,[25] may be mentioned the case of Newman v. Thompson[26] of Kentucky, in 1887, an action instituted to restrain the collection of a tax for the maintenance of a school giving instruction in the higher branches of learning. Although the law of the state is silent regarding foreign language instruction, the judgment was rendered:

"That Latin and Greek are taught in the school is not in violation of the act under which this tax is collected: nor is the teaching of such branches of learning in violation of the common school law of the state."

In the case of Powell v. Board of Education, of one of the school districts of Illinois, in 1881, brought by a number of tax payers against the school board of their district to enjoin alleged mis-appropriation of school funds for the study of German, it was affirmed that:

"While the medium of communication must be the English language, the teaching of the modern languages is not prohibited."[27]

In September, 1875, an action of trespass was instituted against the directors and principal of the school of one of the school districts in Illinois, for expelling a girl from school on account of her refusal to study bookkeeping. The court in render-

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24 Cal. School Law, p. 83, sec. 1665a.
25 P. 62.
26 Newman v. Thompson, 4 S. W., 341.
27 Powel v. Board of Education, 97 Ill., 375.

ing its decision declared that the school directors had power to compel the teaching of other and higher branches than those enumerated in the law.[28]

In 1883, an action was brought against the directors of the St. Louis Public Schools to restrain the board from expending its funds for the instruction of the high school branches of study. The court affirmed that the board of directors has control over the school funds unaccompanied by any conditions as to the kind of schools which it should maintain or the character and nature of the studies which it should prescribe or allow, and that the phrase "common schools" meant "schools open and public to all, rather than schools of any definite grade," and that the term "common school" "by and of itself does not imply a restriction to the rudiments of an education."[29] In McCormick v. Cora Burt, in 1883, brought by the former against the latter and the school board to recover damages for his suspension from school on account of non-observance of a rule of the school, it was held:

"What rules and regulations will best promote the interests of the school under their immediate control, and what branches shall be taught, what textbooks shall be used, are matters left to the determination of the directors, and must be settled by them from the best lights they can obtain from any source, keeping always in view the highest good of the whole school."[30]

In July, 1893, there was tried in the Kansas courts a case involving the question whether any power existed in the board of education to maintain a high school. The court ruled:

"What rules and regulations may best promote the interest of the schools, and what branches shall be taught, other than those expressly prescribed by the statute for all school districts, are matters left to the determination of the directors of the board."[31]

While the welfare of those interested in foreign languages is thus guarded, those who are differently inclined are no less cared for. Legal decisions seem to assert that while boards of education may frame courses of study, they cannot compel a child to study any particular subject. In State v. School District No. 1

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28 Rulison v. Frances Post, 79 Ill., 567.

29 Roach v. the Board of President and Directors of the St. Louis Public Schools, 77 Mo., 484.

30 McCormick v. Cora Burt, 95 Ill., 263.

31 Board of Education of the City of Topeka v. R. B. Welch, 51 Kan., 792.

of Dixon County,[32] in 1891, a case instituted because of the expulsion from school of a girl for her refusal to study grammar, the court affirmed that the parent had a right to make a reasonable selection from the prescribed studies for his child to pursue, and that this selection must be respected by the trusteess, "as the right of the parent in that regard is superior to that of the trustees and the teacher." In the case of Rulison v. Post,[33] before referred to, the court further ruled that it was purely optional with parents and guardians whether the children under their charge should study a certain branch. Similarly, in Morrow v. Wood,[34] in 1874, where the real point at issue was the right of the teacher to compel a pupil to study a particular branch, the Supreme Court declared:

"Certain studies are required to be taught in the public schools by statute. The right of one pupil must be so exercised, undoubtedly, as not to prejudice the equal rights of others. But the parent has the right to make a reasonable selection from the prescribed studies for his child to pursue and this cannot possibly conflict with the equal rights of other pupils."

PUBLIC SCHOOL EDUCATION MUST BE ENGLISH.

From the foregoing it is thus evident that the education that the various states demand is an English[35] education, and German,

32 State v. School Dist. No. 1 of Dixon Co., 31 Neb., 552.

33 Rulison v. Post, 79 Ill., 567.

34 Morrow v. Wood, 35 Wis., 59.

35 "It were vain to deny that true and high culture is within reach of him who rightly studies the English language alone, knowing naught of any other. More of the fruits of knowledge are deposited in it and in its literature than one man can make his own. History affords at least one illustrious example, within our own near view, of a people that has risen to the loftiest pinnacle of culture with no aid from linguistic or philological study: It is the Greek people. The elements, the undeveloped germs of the Greek civilization, did indeed come from foreign sources; but they did not come through literature; they were gained by personal intercourse. To the true Greek, from the beginning to the end of Grecian history, every tongue save his own was barbarous, and unworthy of his attention; he learned such, if he learned them at all, only for the simplest and most practical ends of communication with their speakers. No trace of Latin, or Hebrew, or Egyptian, or Assyrian, or Sanskrit, or Chinese, was to be found in the curriculum of the Athenian student, though dim intimations of valuable knowledge reached by some of those nations, of noble works produced by them, had reached his ear. What the ancient Greek could do, let it not be said that the modern speaker of English, with a tongue into which have been poured the treasures of all literature and science, from every part of the world, and from times far beyond the dawn of Grecian history, cannot accomplish."—W. D. Whitney: Language and Education, N. A. Rev., vol. 113, p. 361.

French or Spanish, where permissible, is to be used only as a means to this end, and not to acquire a German or French or Spanish education. This view is emphasized in the Wisconsin school code in the comment on the section permitting the teaching of any foreign language not to exceed one hour a day to such pupils as desire it.

"The law contemplates instruction, discipline and government of such character as to prepare the young to discharge their duties as citizens of a country in which the English language is used by the courts, the legislature and the people. To carry out this provision of the law, section 449 provides: 'No person shall receive any certificate who does not write and speak the English language with facility and correctness.' Acquaintance with another language may aid in the instruction of children of foreign birth, or parentage, and this section allows one hour a day to be given to instruction in a foreign language, but the purpose of the provision is to limit, not to encourage the study of a foreign language in a common public school."[36]

It is further obvious that whether a foreign language shall be a branch of study in any particular school has been left to the will of the community in question. It is for the community to decide whether the social value, its commercial importance, or the hereditary interests of the language in question are such as to warrant its place in the school curriculum. If the patrons of the school have an interest in the ancient classics, and believe that the study of Greek and Latin will put their children into possession of the rich literary inheritance of the ancient classics, prepare them for the deeper, fuller meaning of the English tongue, it is within their control.[37]

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36 Wisconsin, Sch. L. '11, p. 112, Comment on sec. 447.

37 "In Greece and Rome are the beginnings of nearly all that we most value. They are like the twin lakes in which the Nile has its origin; the mountain torrents which center in these, to issue in that majestic stream, are by comparison hardly worth our attention. Our art, science, history, philosophy, poetry—even, as has just been shown, our religion—take their start there. There is, as it were, the very heart of the great past, whose secrets are unlocked by language. This is the firm and indestructible foundation of the extraordinary importance attaching to the study of the classical tongues. Nothing that may arise hereafter can interfere with it; Greek and Latin, and the antiquity they depict, must continue the sources of knowledge as to the beginning of history and be studied as long as history is studied." —W. D. Whitney: Languages and Education, N. A. Rev., vol. 113, p. 368.

CHAPTER V.

SPECIAL ELEMENTS OF THE CURRICULUM.

Physiology and Hygiene.

Of all the subjects in the school curricula, no other has received so much attention in recent years as that of physiology and hygiene, with special reference to the effects of alcoholic drinks and narcotics upon the human system. The evil effects of intemperance are so apparent and so widespread that its control is admittedly a necessity. About thirty years ago, the idea was conceived of mitigating the evil through the agency of the schools. It was believed that the best remedy for the drink habit would be found in teaching the children in the schools that alcohol is a poison. Largely through the instrumentality of the Woman's Christian Temperance Union[1] it was urged upon law-makers everywhere, both in state and nation, with the result that this subject is required to be taught today throughout the length and breadth of the land. Not only is its teaching mandatory in all the public schools of the states (except Oklahoma) by statute requirement, but also in the territories by federal enactment.

"That the nature of alcoholic drinks and narcotics, and special instruction as to their effects upon the human system in connection with the several divisions of the subject of physiology and hygiene shall be included in the branches of study taught in the common and public schools, and the Military and Naval Schools, and shall be studied and taught as thoroughly and in the same manner as other like required branches are in said schools, by the use of text-books in the hands of pupils, where other branches are thus studied in said schools, and by all pupils in all said schools throughout the Territories, in the Military and Naval Academies of the United States, and in the District of Columbia, and in all Indian and colored schools in the Territories of the United States. That it shall be the duty of the proper officers in control of any school described in the foregoing section to enforce the provisions

[1] Foster, Mrs. J. Ellen: Scientific Temperance Instruction in the Public Schools. Proceedings of the N. E. A., 1886, p. 77.

of this act; and any such officer, school director, committee, superintendent or teacher who shall refuse or neglect to comply with the requirements of this act or shall neglect or fail to make proper provisions for the instruction required, and in the manner specified by the first section of the act, for all pupils in each and every school under his jurisdiction, shall be removed from office and the vacancy filled as in other cases.

"That no certificate shall be granted to any person to teach in the public schools of the District of Columbia or Territories, after the first day of January, Anno Domini, eighteen hundred and eighty-eight, who has not passed a satisfactory examination in physiology and hygiene, with special reference to the nature and the effects of alcoholic drinks and other narcotics upon the human system."[2]

In Alabama, Arizona,* Colorado, Georgia, Hawaii, Idaho, Illinois, Iowa, Kentucky, Maryland, Massachusetts, Michigan, New Hampshire, New Jersey, New Mexico, New York, North Dakota, Ohio, Oregon, Pennsylvania, South Dakota, Tennessee, Virginia, and West Virginia, the law requires that it be taught in the[3] same manner and as thoroughly as other subjects. It is required of all the pupils in all the public schools in Alabama, Arizona, Arkansas, California, Colorado, Delaware, Georgia, Idaho, Illinois, Indiana, Iowa, Kansas, Maine, Maryland (of all the pupils whose capacity will admit it), Massachusetts, Michigan, New Hampshire (above primary), New Jersey, New Mexico, Ohio, Oregon, Pennsylvania, South Dakota, Tennessee, West Virginia, Wisconsin, Wyoming (above primary). In Arizona, Colorado, Delaware, Illinois, Maryland, Michigan, New Jersey, New Mexico, New York, Oregon, South Dakota, Virginia, it must be taught by means of textbooks on the subjects, and in Illinois, Michigan and South Dakota, it is further stipulated that the minimum amount of space that the textbook must devote to the nature of alcoholic drinks and other narcotics. Illinois, New York and Oregon prescribe the minimum number of lessons per week in this subject, and in New York and Ohio it is further mandatory that pupils be examined and tested in this subject before promotion. In ten of the states,[4] the county or city superin-

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2 Act of May 20, 1886, Ch. 362, 24 Stat. Federal Statutes 2, p. 861.

3 For code reference, see appendix.

* In Arizona this is effected through the State Board of Education which has the authority to prescribe and enforce a course of study.

4 Ark., Ga., Iowa, Mich., Minn., N. Y., Ore., Pa., So. Dak., Wyo

tendent must report to the State Superintendent to what extent the statute has been complied with, and twenty states further mention the penalty for violation of the law in question.[5] Illinois requires:

"The nature of alcoholic drinks and other narcotics and their effects on the human system shall be taught in connection with the various divisions of physiology and hygiene as thoroughly as are other branches in all schools under state control, or supported wholly or in part by public money, and also in all schools connected with reformatory institutions. All pupils in the above mentioned schools, below the second year of the high school and above the third year of school work, computing from the beginning of the lowest primary year, or in corresponding classes of ungraded schools, shall be taught and shall study this subject every year from suitable textbooks in the hands of all pupils, for not less than four lessons a week for ten or more weeks each year, and must pass the same tests in this as in other studies. In all schools above mentioned, all pupils in the lowest three primary school years, or in corresponding classes in ungraded schools, shall each year be instructed in this subject orally for not less than three lessons a week for ten weeks each year, by teachers using textbooks adapted for such oral instruction as a guide and standard. The local school authorities shall provide needed facilities and definite time and place for this branch in the regular courses of study. The textbooks in the pupils' hands shall be graded to the capacity of the fourth year, intermediate, grammar and high school pupils, or to corresponding classes as found in ungraded schools. For students below high school grade, such textbooks shall give at least one-fifth their space, and for students of high school grade shall give not less than twenty pages to the nature and effects of alcoholic drinks and other narcotics. The pages on this subject, in a separate chapter at the end of the book, shall not be counted in determining the minimum."[6]

Ohio, while aiming to secure the same end, leaves more to local consideration.

"The nature of alcoholic drinks and other narcotics, and their effect on the human system, in connection with the various divisions of physiology and hygiene, shall be included in the branches to be regularly taught in the common schools of the state, and in all educational institutions supported wholly, or in part, by money from the state. Boards of education, and boards of such educational institutions, shall make suitable provisions for this instruc-

[5] Ariz., Cal., Conn., Del., Ida., Ill., Ind., Iowa, Mich., Minn., N. H., N. J., N. Mex., N. Y., Ohio, Pa., So. Dak., Wash., W. Va., Wyo.

[6] School Law of Illinois, 1912, p. 76, sec. 273.

tion in the schools and institutions under their respective jurisdiction, giving definite time and place for this branch in the regular course of study; adopt such methods as will adapt it to the capacity of pupils in the various grades; and to corresponding classes as found in ungraded schools. The same tests for promotion shall be required in this as in other branches."[7]

The Michigan statute on this subject is rather remarkable for the attention that is given to textbook consideration. The law in full is as follows:

"In addition to the branches in which instruction is now required by law to be given in the public schools of the state, instruction shall be given in physiology and hygiene, with a special reference to the nature of alcohol and narcotics, and their effects upon the human system. Such instruction shall be given by the aid of textbooks, in the case of pupils who are able to read, and as thoroughly as in other studies pursued in the same school. The textbooks to be used for such instruction shall give at least one-fourth of their space to the consideration of the nature and effects of alcoholic drinks and narcotics, and the books used in the highest grade of graded schools shall contain at least twenty pages of matter relating to this subject. Textbooks used in giving the foregoing instructions shall first be approved by the state board of education. Each school board making a selection of textbooks under the provisions of this act shall make a record thereof in their proceedings, and textbooks once adopted under the provisions of this act shall not be changed within five years, except by the consent of a majority of the qualified voters of the district present at an annual meeting, or at a special meeting called for that purpose. The district board shall require each teacher in the public schools of such district, before placing the school register in the hands of the directors (director), as provided in section thirteen of this act, to certify therein whether or not instruction has been given in the school or grade presided over by such teacher, as required by this act, and it shall be the duty of the director of the district to file with the township clerk a certified copy of such certificate. Any school board neglecting or refusing to comply with any of the provisions of this act shall be subject to fine or forfeiture, the same as for neglect of any other duty pertaining to their office. This section shall apply to all schools in the state, including schools in cities or villages, whether incorporated under special charter or under the general laws."[8]

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7 Ohio School Laws, 1912, p. 118, secs. 7723, 7724.
8 Michigan General School Laws, 1911, p. 29, sec. 4680.

In Oregon, the reception of public money by the treasurer is conditional on the proper enforcement of the law regarding the teaching of physiology and hygiene. The law requires of the teacher:

"To labor during school hours to advance the pupils in their studies; to create in their minds a desire for knowledge, principle, morality, politeness, cleanliness, and the preservation of physical health; and it is hereby made the duty of every teacher to give, and of every board of school directors to cause to be given, to all pupils, suitable instruction in physiology and hygiene, with special reference to the effects of alcoholic drinks, stimulants, and narcotics upon the human system. Such instruction in physiology and hygiene shall be given orally to pupils who are below the fourth grade, and shall be given by the use of textbooks to all pupils above the fourth grade, and such instruction shall be given as thoroughly to all pupils as instruction in arithmetic or geography is given. Each teacher of a public school, before leaving the school register with the school clerk, shall certify therein whether instruction has been given in the school or grade presided over by such teacher, as required by this act, and no public money shall be paid over to the treasurer of a district unless the register of such district contains a certificate of the teacher that instruction has been given in physiology and hygiene, with special reference to the effects of alcoholic drinks, stimulants and narcotics upon the human system, as required by this act."[9]

The law of the state of New York, however, is more comprehensive than any other:

"The nature of alcoholic drinks and other narcotics, and their effects on the human system, shall be taught in connection with the various divisions of physiology and hygiene, as thoroughly as are other branches in all schools under state control or supported wholly or in part by public money of the state, and also in all schools connected with reformatory institutions. All pupils in the above mentioned schools, below the second year of the high school and above the third year of school work, computing from the beginning of the lowest primary, not kindergarten year, or in corresponding classes of ungraded schools, shall be taught and shall study this subject every year with suitable textbooks in the hands of all pupils, for not less than three lessons a week for ten or more weeks, or the equivalent of the same in each year, and must pass satisfactory tests in this as in other studies, before promotion to the next succeeding year's work; except that where there are nine or more school years below the high school,

[9] School Laws of Oregon, 1913, p. 51, sec. 98.

the study may be omitted in all years above the eighth year and below the high school, by such pupils as have passed the required tests of the eighth year. In all schools above mentioned, all pupils in the lowest three primary, not kindergarten, school years, or in corresponding classes in ungraded schools, shall, each year, be instructed in this subject orally for not less than two lessons a week for ten weeks, or the equivalent of the same in each year, by teachers using textbooks adapted for such oral instruction as a guide and standard, and such pupils must pass such tests in this as may be required in other studies before promotion to the next succeeding year's work. Nothing in this act shall be construed as prohibiting or requiring the teaching of this subject in kindergarten schools. The local school authorities shall provide needed facilities and definite time and place for this branch in the regular courses of study. The textbooks in the pupils' hands shall be graded to the capacities of fourth year, intermediate, grammar and high school pupils, or to corresponding classes in ungraded schools. For students below high school grade, such textbooks shall give at least one-fifth their space, and for students of high school grade shall give not less than twenty pages, to the nature and effects of alcoholic drinks and other narcotics. This subject must be treated in the textbooks in connection with the various divisions of physiology and hygiene, and pages on this subject in a separate chapter at the end of the book shall not be counted in determining the minimum. No textbook on physiology not conforming to this act shall be used in the public schools, except so long as may be necessary to fulfill the conditions of any legal adoption existing at the time of the passage of this act. All Regents' examinations in physiology and hygiene shall include a due proportion of questions on the nature of alcoholic drinks and other narcotics, and their effects on the human system.

"In all normal schools, teachers' training classes and teachers' institutes, adequate time and attention shall be given to instruction in the best methods of teaching this branch, and no teacher shall be licensed who has not passed a satisfactory examination in the subject, and the best methods of teaching it. On satisfactory evidence that any teacher has wilfully refused to teach this subject, as provided in this article, the commissioner of education shall revoke the license of such teacher. No public money of the state shall be apportioned by the commissioner of education or paid for the benefit of any city until the superintendent of schools therein shall have filed with the treasurer or chamberlain of such city an affidavit and with the commissioner of education a duplicate of such affidavit that he has made thorough investigation as to the facts, and that to the best of his knowledge, information and belief, all provisions of this act have been complied with in all the schools under his supervision in such city during the last

preceding legal school year; nor shall any public money of the state be apportioned by the commissioners of education or by school commissioners or paid for the benefit of any school district, until the president of the board of trustees, or in the case of common school districts the trustee or some one member of the board of trustees, shall have filed with the school commissioner having jurisdiction an affidavit that he has made thorough investigation as to the facts, and that to the best of his knowledge, information and belief, all the provisions of this act have been complied with in such district, which affidavit shall be included in the trustees' annual report, and it shall be the duty of every school commissioner to file with the commissioner of education, an affidavit in connection with his annual report, showing all districts in his jurisdiction that have and those that have not complied with all the provisions of this act, according to the best of his knowledge, information and belief, based on a thorough investigation by him as to the facts; nor shall any public money of the state be apportioned or paid for the benefit of any teachers' training class, teachers' institute, or other school mentioned herein, until the officer having jurisdiction or supervision thereof shall have filed with the commissioner of education an affidavit that he has made a thorough investigation as to the facts, and that to the best of his knowledge, information and belief, all the provisions of this act relative thereto have been complied with. The principal of each normal school in the state shall, at the close of the school year, file with the commissioner of education an affidavit that all the provisions of this law, applicable thereto, have been complied with during the school year just terminated, and until such affidavit shall be filed no warrant shall be issued by the commissioner of education for the payment by the treasurer of any part of the money appropriated for such school. It shall be the duty of the commissioner of education to provide blank forms of affidavit required herein for use by the local school officers, and he shall include in his annual report a statement showing every school, city, or district which has failed to comply with all the provisions of this act during the preceding school year. On complaint, by appeal to the commissioner of education, any patron of the schools mentioned in the last preceding section, or by any citizen, that any provision of this act has not been complied with in any city or district, the commissioner of education shall make immediate investigation, and on satisfactory evidence of the truth of such complaint, shall thereupon and thereafter withhold all public money of the state to which such city or district would otherwise be entitled, until all the provisions of this act shall be complied with in said city or district, and shall exercise his power of

reclamation and deduction, under section four hundred and ninety-one of this chapter."[10]

The special session of the legislature of Alabama, in 1909, passed an act which requires:

"That it shall be the duty of the State Superintendent of Education of the State of Alabama to have prepared and furnished to the teachers in the public schools placards printed in large type upon which shall be set forth in attractive style, statistics, epigrams and mottoes showing the evils of intemperance, especially from the use of intoxicating liquors. That it shall be the duty of the said State Superintendent of Education to make changes in the matter printed on the said placards from time to time, as he may deem proper, and that he shall at all times keep the public schools of Alabama provided with a sufficient number of said placards to post one of them in every schoolroom of Alabama."

The law makes it the duty of every public school teacher to keep posted one of said placards in a conspicuous place in his schoolroom. It makes it the duty of the county superintendent and district trustees to assist in the carrying out of the provisions of this act. One day shall be set apart in each "scholastic term," known as "Temperance Day, when a suitable program shall be prepared to the end that the children of Alabama may be taught the evils of intemperance."[11]

Though legislation on this subject is thus extensive, the law does not receive that loyal and unanimous enforcement that might be expected from its universality. Among the official decisions of the State Superintendent of Nebraska is found what is indicative of the attitude in many localities:

"The instruction in this subject is often unwisely distributed throughout the course, and any change of sentiment or opinion against the use of alcohol seems entirely disproportionate to the outlay of time and effort that has been made. There is frequent and unnecessary repetition, and diminished interest and dislike of the subjects are prevalent. Textbook instruction could, with profit to the cause and to the school, be limited to the higher grammar grades. The use of charts in common schools, showing morbid, physiological conditions is generally condemned."[12]

However meritorious the temperance movement, however laudable the self-sacrificing devotion of many of its leaders, how-

10 Education Law, 1912, p. 142, art. 26.
11 Laws of Alabama, 1911, p. 132.
12 School Laws of Nebraska, 1909, p. 72, sec. 4.

ever praiseworthy the motives actuating its members, it may well be questioned whether the purpose of this scientific temperance teaching is being accomplished. Not to speak of palpable inaccuracies, and even falsehoods, contained in many texts on this subject and often taught in the face of obvious and disproving facts, the method is, to say the least, unpedagogical. No such method is pursued in other subjects. Children do not become good spellers by the study of misspelled words, nor do they acquire facility in the use of good English through attention to faulty diction. Children are not expected to gain physical health and strength through the study of sickness and disease, nor is it expected that they become virtuous through presentation of vice. The wisdom of presenting lurid pictures of the evil effects of alcohol on stomach, heart and liver and other vital organs is open to very serious question. Any method in this day of neurasthenic ailments that may lead to morbidness on the part of the learner should be condemned. What is desired in the young is the forming of right habits of life, which can only be acquired through positive reaction. No amount of learning regarding the evil effects of alcohol will form a positive character, nor will any store of memorized negations serve in the hour of temptation. In accordance with the law of negative suggestions, this teaching may lead to the doing of the very evil it is intended to forestall, especially when carried on in an environment not in harmony with such teaching, but where alcoholic beverages are dispensed with the full approval of local law. Whatever may be the modifications that the law will in the future undergo in respect to this subject, if the school is to have a part in the cause of temperance, it will have to become a place for character building, for the forming of right habits; a place where temperance is lived, not merely learned in words. It should be noted also that in the teaching of this subject, as well as those considered farther on in this chapter, the public school is made the agency for imposing new information and new ideals upon the people, and such teaching is thus open to criticism on the ground of what should be the nature of the course of study. If the course of study is to be a body of race experience,[13] i. e., consist of a selection of those achievements and experiences of the human race which have proved and are

[13] Ruediger: The Principles of Education, p. 167.

still proving of value for social and individual life, as is commonly conceded, it evidently follows that much which is now expected to be taught under these various captions must be omitted.

PATRIOTISM.

Another subject receiving considerable attention, though not literally forming any integral part of the school curriculum, is patriotism. One of the acknowledged aims of education is citizenship, which must embody as one of its vital elements that of patriotism. The true patriot is not so much he who is willing to die, as he who lives, for his country. The true citizen must fight his country's battle of peace, as well as of war, and in so doing further the end of government which is for the interests of humanity.

It is held by many that the training received in history and civil government does not give due preparation for the civil duties of life which the individual must later assume in the interests of society as well as the state. For this reason there have been introduced into many schools various exercises which have for their special end the teaching of patriotism.

In thirty-two states[14] the law requires that the public schools be provided with suitable flags, which shall be displayed while school is in session, or only on certain days, which is the case in Idaho, Illinois, Indiana, Massachusetts and New Hampshire. The law in Maine and in Wisconsin is not definite as to the time of display; in the latter it merely requires that it be displayed, in the former it indicates the purpose for which it shall be used.

"It shall be the duty of superintendents of schools to report to municipal officers of cities, towns and plantations, all schools within their jurisdiction without flags, and it shall be the duty of said municipal officers to furnish flags to all such schools, to be paid for by said municipalities. These flags are to be used in all schools for the education of the youth of our state, to teach them the cost, the object and principles of our government, the great sacrifices of our forefathers, the important part taken by the Union army in eighteen hundred sixty-one to eighteen hundred sixty-five, and to teach them to love, honor and respect the flag

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14 Ariz., Cal., Col., Conn., Del., Ida., Ill., Ind., Iowa, Kan., Me., Mass., Mich., Mont., Nev., N. H., N. J., N. Mex., N. Y., N. Dak., Ohio, Okla., Ore., Pa., R. I., So. Dak., Utah, Vt., Wash., W. Va., Wis., Wyo.

of our country, that cost so much and is so dear to every true American citizen."[15]

New Hampshire leaves the display of the flag to the judgment of the school board. It directs the board:

To "purchase at the expense of the city or town in which the district is situated, a United States flag of bunting, not less than five feet in length, with a flagstaff and appliances for displaying the same, for every schoolhouse in the district in which a public school is taught not otherwise supplied. They shall prescribe rules and regulations for the proper custody, care, and display of the flag; and whenever not otherwise displayed, it shall be placed conspicuously in the principal room of the schoolhouse. Any members of a school board who shall refuse or neglect to comply with the provisions of this section shall be fined ten dollars for the first offense and twenty dollars for every subsequent offense."[16]

According to the law in Wisconsin, the flag may be displayed from the schoolhouse or flagstaff, or in each schoolroom:

"Every board of education or district board shall purchase at the expense of the city, town, village or district to which it belongs and display in each schoolroom or from a flagstaff on each schoolhouse or on the grounds thereof, a flag of the United States, and purchase in like manner whatever may be needed, for the display or preservation of the flag."[17]

Connecticut, Hawaii, New Mexico, New York and Rhode Island, have established a flag day, which must be observed in the schools with appropriate patriotic exercises. Three of the states provide for a salute to the flag. Thus the Arizona law requires:

"It shall be the duty of the State Superintendent of Public Instruction to prepare for the use of the public schools of the state a program providing for a salute to the flag, and such other patriotic exercises as shall be deemed by him to be expedient, under such regulations and instructions as may best meet the requirements of the different grades of such schools."[18]

In Kansas the law directs the State Superintendent to make proper provisions for this:

"It shall be the duty of the State Superintendent of Public Instruction of this state to prepare for the use of the public schools of the state a program providing for a salute to the flag at the opening of each day of school, and such other patriotic ex-

[15] Maine School Laws, '13, p. 57, sec. 1.
[16] New Hampshire Sch. L., '13, p. 31, sec. 928.
[17] Wisconsin Sch. L., '11, p. 94, sec. 436a.
[18] Arizona School Laws, 1912, p. 48, sec. 118.

ercises as may be deemed by him to be expedient, under such regulations and instructions as may best meet the varied requirements of the different grades in such schools."[19]

Similarly this is made the duty of the Commissioner of Education of New York.

"It shall be the duty of the Commissioner of Education to prepare, for the use of the public schools of the state, a program providing for a salute to the flag and such other patriotic exercises as may be deemed by him to be expedient, under such regulations and instructions as may best meet the varied requirements of the different grades in such schools."[20]

A recent law of Indiana, approved March 8, 1909, demands:

"The state board of education shall require the singing of the 'Star Spangled Banner' in its entirety in the schools of Indiana upon all patriotic occasions, and that the said board of education shall arrange to supply the words and music in sufficient quantity for the purposes indicated therein."[21]

Eleven[22] of the states require the proper observance with appropriate exercises of certain days commemorating important historical characters or events. Thus Arkansas requires:

"That the nineteenth of January, the birthday of Robert Edward Lee, shall be observed in all the public schools of the state as a day for patriotic exercises and the study of the history and achievements of Arkansas men. The State Superintendent of Public Instruction is hereby authorized to prepare and publish annually for use in all public schools of the state, a program of exercises dealing with events in the life of General Lee and other distinguished men, giving attention also to the achievements and work of eminent men who have served this state in civil and military life. It shall be the duty of county examiners, city superintendents and principals of schools to aid in carrying on this work, and they shall arrange the exercises of their various schools in accordance with the provisions of this act."[23]

The law in New York declares:

"It shall also be his duty (i. e., of the Commissioner of Education) to make special provision for the observance in such public schools of Lincoln's birthday, Washington's birthday, Memorial day, and Flag day, and such other legal holidays of like character as may be hereafter designated by law."[24]

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19 Kansas School Laws, 1913, p. 170, sec. 507.
20 New York Education Law, 1912, p. 146, sec. 712.
21 Indiana School Law, 1911, p. 117, sec. 147½.
22 Ariz., Ark., Conn., Kan., Md., Mass., N. H., N. J., N. Y., R. I., Vt.
23 Arkansas School Laws, 1910, p. 123, sec. 1, 2, 3.
24 New York Education Law, 1912, p. 146, sec. 712.

As to the value of these exercises Dr. Armstrong, of the Mosely Commission, said, in 1903:

"Much has been said of the importance attached in the American schools to the teaching of patriotism and to the practice of saluting the flag which prevails therein. This involves the recitation occasionally of the formula: 'I pledge allegiance to my flag and to the Republic for which it stands—one nation, indivisible, with liberty and justice for all.' This appeared to me to be a somewhat perfunctory exercise when I witnessed it. Thinking Americans with whom I discussed the question seemed to regard the practice as of some value in cities like New York and Chicago, where a large alien element has constantly to be absorbed into the population; but apparently they were of the opinion that it was undesirable as a general practice."[25]

Doctor Dunker, of the Royal Prussian Commission, in 1904, spoke of it in these terms:

"The national character of the American school is further indicated by the widely diffused custom, in many instances fixed by state law, of hoisting the flag of the Union over public school buildings during periods of instruction. It is especially significant that certain Southern states that heretofore had not forgotten the civil war and the evil days of reconstruction, under the direct influence of the victory over Spain, began to hoist the Stars and Stripes over their schools instead of the State flag."[26]

Later on he refers to this again in these words:

"The American schools are pronouncedly national educational institutions. This, as already mentioned, is even externally indicated by the fact that public instructon is imparted under the shadow of the national flag. The great national anniversaries of the Declaration of Independence, of the birth of Washington and Lincoln, are celebrated with suspension of school exercises and with school festivals. The geography and history of the United States are thoroughly studied in all kinds of schools, so that the pupil may learn to know and love his people and its heroes and become familiar with his country."[27]

Arbor Day.

Another school exercise, though not strictly a part of the school curriculum, should be referred to in this connection. For some years, those interested in forestry, seeing the rapid destruction of the forests of the country and the dangers resulting there-

[25] Report of the Mosely Ed. Com. to the U. S. of Am., p. 9.
[26] State School Systems, Bulletin No. 2, 1906, p. 10.
[27] State School Systems, Bulletin No. 2, 1906, p. 12.

from, have urged the need of forest reservation and tree planting. It was not, however, until 1872, largely through the efforts of J. Sterling Morton, of Nebraska, that the first systematic tree planting on a given day by organized efforts of schools and citizens began. This movement has been followed by other states, until today Arbor Day is being observed in most of the schools of the country. In thirty-three of the states and the territory of Hawaii[28] the law requires this observance. Though in some states the intention is largely to improve the attractiveness of the school and its immediate surroundings, in others it is to reach the wider interests of forestry and nature in general. The immediate result has been to change many a dreary, cheerless school surrounding, into one of attractiveness and even beauty. The law of Arizona is illustrative of the effort to reach these wider problems as well:

"In order that the children in our public schools shall assist in the work of adorning the school grounds with trees, and to stimulate the minds of children towards the benefits of the preservation and perpetuation of our forests and the growing of timber, it shall be the duty of the authorities in every public school in the Territory of Arizona to assemble the pupils in their charge on the above day in the school building or elsewhere, as they may deem proper, and to provide for and conduct, under the general supervision of the County School Superintendents, to have and to hold such exercises as shall tend to encourage the planting, protection and preservation of trees and shrubs, and an acquaintance with the best methods to be adopted to accomplish such results; and that the trees may be planted around the school buildings, and that the grounds around such buildings may be improved and beautified; such planting to be attended with appropriate and attractive ceremonies, that the day may be one of pleasure as well as one of instruction for the young; all to be under the supervision and direction of the teacher, who shall see that the trees and shrubs are properly selected and set."[29]

Bird Day.

In a number of the states, through the interest aroused in birds and their preservation by the Audubon Society, bird day is

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[28] Ariz., Ark., Cal., Col., Conn., Del., Fla., Ga., Hawaii, Ida., Ill., Ind., La., Me., Mass., Md., Mich., Miss., Mo., Mon., Nev., N. J., N. Mex., N. Y., Ohio, Okla., Ore., R. I., S. C., Tenn., Tex., Va., Wis., Wyo.

[29] Arizona School Laws, 1912, p. 47, sec. 113.

observed as well, either in connection with arbor day or as a separate day. Thus the law in Louisiana requires:

"The State and Parish Boards of Public Education are directed to provide for the celebration, by all public schools, of 'Bird Day,' on May fifth of each year, being the anniversary of the birth of John James Audobon, the distinguished son of Louisiana. On the recurring anniversary days, suitable exercises are to be engaged in, and lessons on the economic and esthetic value of the resident and migratory birds of the state are to be taught by the teachers to their pupils."[30]

HUMANE EDUCATION.

Closely allied to this is humane education, i. e., the teaching of kind treatment of animals, which is required by law in fourteen of the states,[31] and in Hawaii. The law in South Dakota requires:

"There shall be taught in the public schools of this state, in addition to other branches of study as now prescribed, a system of humane treatment to animals. Each school supported wholly or in part by the public funds of this state, in any county or city thereof, shall instruct all scholars in the laws of this state as embodied in the penal code, or other laws pertaining to the humane treatment of animals, and in such studies on the subject as the board of education having supervision thereof may adopt, such instruction to consist of not less than one lesson of ten minutes each during each week of the school year. But no experiment upon live animals to demonstrate facts in physiology shall be permitted in any school in this state."[32]

Similarly North Dakota requires:

"There shall be taught in the public schools of North Dakota, in addition to the other branches of study now prescribed, instruction in the humane treatment of animals; such instruction shall be oral and to consist of not less than two lessons of ten minutes each per week."[33]

In this connection, reference should be made to the important movement to teach in the public schools, laws of sanitation and the nature of communicable diseases and their prevention. The Massachusetts law provides for special instruction in tuberculosis and its prevention. Michigan requires that the methods of pre-

[30] Louisiana School Laws, 1912, p. 64, sec. 14.

[31] Cal., Col., Del., Ill., Mich., N. H., No. Dak., Okla., Pa., So. Dak., Tex., Wash., Wis., Wyo.

[32] South Dakota School Laws, 1911, p. 41, sec. 144.

[33] North Dakota School Laws, 1911, p. 85, sec. 272.

vention and restriction of communicable diseases be taught. Montana, in 1909, provided for the teaching, each year, of the modes by which communicable diseases spread and the method of their restriction and prevention. Utah, in 1907, enacted:

"There shall be established in the normal schools of the state, and in the public schools, beginning with the eighth grade, a course of instruction upon the subject of sanitation, and the cause and prevention of disease. It shall be the duty of the State Board of Education and the State Board of Health, acting conjointly, to prepare a course of study to carry out the provisions of this act."[34]

In the Amendments to School Law of New Jersey, 1912 and 1913, is found the following:

"It shall be the duty of each teacher in any public school in the State of New Jersey to devote not less than thirty minutes in each month to instructing the pupils thereof as to ways and means of preventing accidents."

It is made the duty of the Commissioner of Education and the Commissioner of Labor to prepare a suitable book for such instruction.

A recent law in Indiana regarding the teaching of hygiene in schools contains the following provision:

"And it shall be the duty of the trustees of the several townships and the boards of school trustees of the several cities and towns in the state, to make provisions in the public schools under their jurisdicton for the illustrative teaching of the anatomy, physiology and hygiene of the human system; the effects of alcohol and nicotine; the cause and course of consumption; the dissemination of diseases by rats, flies, and mosquitoes, and the effects thereof, and the prevention of diseases by the proper selection and consumption of food."

The General Assembly of Ohio, in 1913, passed a similar law to that of New Jersey above quoted.

All of the subjects before discussed, forcibly illustrate the centralizing tendency in education. Within a quarter of a century were enacted the laws requiring the teaching of the effects of alcoholic drinks and narcotics on the human system. In Vermont, in 1882, was passed the first law on this subject in this country. Today it is compulsory throughout the union. Less than forty years ago, were taken the first steps in regard to the observance

[34] Utah School Law, '13, p. 33, sec. 1829x.

of arbor day. Today it is generally observed throughout the United States. In the year 1907 alone, seven states passed laws pertaining to the display of the United States flag, a movement indicative of the general effort on the part of the states to make of the public school an institution for the training of loyal patriotic citizens. Thus more and more, slowly in some lines, more rapidly in others, the state is assuming control of the public schools, directing not only the subjects of study, but what shall be taught in these subjects.

CHAPTER VI.

MORAL AND RELIGIOUS EDUCATION.

The Demand for Moral Training.

Whatever may be the view held as to the means and method of moral education, its need is universally admitted. Many and complex are the problems requiring solution. Labor and industry are becoming so diversified, society so complex and interrelated that the moral choice of the individual is attaining an ever wider and more far-reaching effect. While the decrease of illiteracy and the wonderful achievements in science and art are unmistakable evidence of intellectual advance, evidence seems to be lacking for a corresponding growth in morality. Indeed, many see in the evils and crimes of the social, political, and economic world, indisputable proofs of moral decline.

In the early colonial days, as has been seen,[1] churches and schools were intimately related, and the latter were dominated by religious control as well as instruction. Even when the separation of church and state had become an acknowledged principle of American polity, religious instruction was still looked upon as an essential part of the curriculum. The Ordinance of 1787 contained these words:

"Religion, morality and knowledge being necessary for good government, schools and the means of education shall forever be encouraged."

Several states incorporated this declaration into their constitutions. In time, however, a new order of things set in. With the growth of a spirit of democracy which chafed under religious authority and leadership, with the influx of foreigners of all creeds and kinds, with the increasing control of the state over public education, the public schools have become more and more

1 Chapter I, p. 12.

secular, and religious teaching has disappeared from the school. It is believed that moral training can no longer be left wholly to the home and the church, but that the public school must do its part in the building of character in which rests the real strength of society and the state. It is held by some that the teaching of the usual branches of study does not result in ethical development, and that it is necessary to supplement this by some scheme of formal training in morals. Thus it has resulted that moral education has become a matter of state control and made one of the required subjects of study.

Legal Provisions for Moral Instruction.

California, Delaware, Florida, Idaho, Indiana, Maryland, Massachusetts, Minnesota, Montana, North Dakota, Oklahoma, South Carolina, South Dakota, Utah, Vermont, Virginia, Washington and Wisconsin, have thus made legal provision.[2] While in most cases the statute merely mentions the subject, in some cases it is more specific. Thus the Utah law declares:

"Moral instruction tending to impress upon the minds of the pupils the importance of good manners, truthfulness, temperance, purity, patriotism, and industry, shall be given in every district school, and all such schools shall be free from sectarian control."[3]

The statute of Virginia requires:

"Provision shall further be made for moral education in the public schools to be extended throughout the entire course. Such instruction shall be imparted by reading books and textbooks inculcating the virtues of a pure and noble life. The textbooks shall be selected, as are other textbooks, by the State Board of Education."[4]

The law in Massachusetts is more comprehensive than any other.

"The president, professors, and tutors of the university at Cambridge, and of the several colleges, all preceptors and teachers of academies and all other instructors of youth, shall exert their best endeavors to impress on the minds of children and youth committed to their care and instruction the principles of piety and justice and a sacred regard for truth, love of their country, humanity and universal benevolence, sobriety, industry and frugality, chastity, moderation and temperance, and those other virtues which are the ornament of human society, and the basis upon

2 For code reference see appendix.

3 Utah School Laws, 1913, p. 45, sec. 1848.

4 Virginia School Laws, 1911, p. 71, sec. 83.

which republican constitution is founded; and they shall endeavor to lead their pupils as their ages and capacities will admit, into a clear understanding of the tendency of the above mentioned virtues to preserve and perfect a republican constitution and secure the blessings of liberty, as well as to promote their future happiness, and also to point out to them the evil tendency of the opposite vices."[5]

Constitutional Provisions Regarding Religious Instruction.

Though the separation of church and state has become a recognized principle in the United States, the intimate relation of morality and religion, the belief of many that the former cannot be taught divorced from the latter, together with the many and diverse views on matters of religion, have been instrumental in bringing into prominence the question of religious teaching and sectarianism in the public school. Constitutionally, but few provisions are made respecting the subject. Connecticut, Indiana, Iowa, Maine, Maryland, New Jersey, Oklahoma, Oregon, Rhode Island, Tennessee and West Virginia, are silent on the subject. Where provisions are found, they are largely against appropriations for religious, denominational, or sectarian instruction. Thirty states, Alabama, Arkansas, California, Colorado, Delaware, Florida, Idaho, Illinois, Kentucky, Louisiana, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Montana, Nevada, New Hampshire, New York, North Carolina, North Dakota, Ohio, Pennsylvania, South Carolina, South Dakota, Texas, Utah, Virginia, Wisconsin, Wyoming, prohibit such support. Georgia alone provides for appropriations to other than public schools. In the constitutions of only twelve states is any reference made to religious or sectarian instruction, which in each case is prohibited. Idaho provides against the use of sectarian books and further, together with Colorado, Montana and Wyoming, declares that attendance at any religious exercises, whatsoever, in public schools shall not be required of teacher or student. In the constitutions of Kansas, North Dakota, South Dakota, Utah and Washington, it is declared that the pubilc school shall be free from sectarian control. In Nevada, any school may be deprived of its proportional share of the interest of the school fund, and in Arizona a teacher using sectarian books, teaching sectarian doc-

5 Massachusetts School Laws, 1911, p. 24, sec. 18.

trines, or giving religious instruction, may have his certificate revoked. Bible reading, per se, is not prohibited in any constitution. Mississippi, though denyng financial support for sectarian purposes, is the one state stipulating in her constitution that the Bible shall not be excluded from her public schools.[6]

Statutory Provisions Regarding Religious Instruction.

In many of the statutes, the provisions of the constitutions are either re-affirmed or supplemented. Alabama, Connecticut, Delaware, Florida, Louisiana, Maine, Minnesota, Mississippi, Missouri, Nebraska, New Mexico, New York, Ohio, Oklahoma, Oregon, Rhode Island, South Carolina, Tennessee, Vermont, Virginia, West Virginia and Wyoming, have no school laws on the subject. Arizona, Arkansas, California, Georgia, Kentucky, Maryland, Massachusetts, Montana, Nevada, New Hampshire, North Carolina and Wisconsin, prohibit the use of sectarian books; Arizona, California, Colorado, Idaho, Kansas, Montana, Nevada, South Dakota, Utah, and the territory of Hawaii, sectarian instruction; Washington, sectarian control; and Illinois, Michigan, South Dakota, and Texas, appropriation for religious or sectarian purposes. Georgia, Indiana, Iowa, Kansas, Massachusetts, New Jersey, North Dakota, Pennsylvania, South Dakota, provide in their statutes that the Bible shall not be excluded. It is interesting to note that a number of these states, though retaining the Bible in the public school, prohibit either the use of sectarian books or sectarian instruction. Thus the law in North Dakota provides:

"The Bible shall not be deemed a sectarian book. It shall not be excluded from any public school. It may at the option of the teacher be read in school without sectarian comment, not to exceed ten minutes daily. No pupil shall be required to read it, nor be present in the school room during the reading thereof, contrary to the wishes of his parents or guardian or other person having him in charge."[7]

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[6] "No religious test as a qualification for office shall be required; and no preference shall be given by law to any religious sect or mode of worship; but the free enjoyment of all religious sentiments and the different modes of worship shall be held sacred. The rights hereby secured shall not be construed to justify acts of licentiousness injurious to morals or dangerous to the peace and safety of the state, or to exclude the Holy Bible from use in any public school of this state."—Miss., art. 1, sec. 18.

[7] North Dakota School Laws, 1911, p. 86, sec. 276.

Massachusetts not only declares against the exclusion of the Bible, but requires its use. The law demands:

"A portion of the Bible shall be read daily in the public schools, without written note or oral comment; but a pupil whose parent or guardian informs the teacher in writing that he has conscientious scruples against it, shall not be required to read from any particular version, or to take any personal part in the reading. The school committee shall not purchase or use school books in the public schools calculated to favor the tenets of any particular religious sect."[8]

Similarly the law of Pennsylvania requires:

"That at least ten verses from the Holy Bible shall be read, or caused to be read, without comment, at the opening of each and every public school, upon each and every school day by the teacher in charge; Provided, That where any teacher has other teachers under and subject to direction, then the teacher exercising this authority shall read the Holy Bible, or cause it to be read, as herein directed.

"That if any school teacher whose duty it shall be to read the Holy Bible, or cause it to be read, as directed in this act, shall fail or omit so to do, said school teacher shall, upon charges preferred for such failure or omission, and proof of the same, before the governing board of the school district, be discharged."[9]

Legal Decisions Regarding Religious Instruction.

While the states thus differ in their constitutional and statutory provisions on this subject, there is no more unanimity in the legal decisions. The courts basing their decisions on these provisions or lack of provisions have, necessarily, arrived at different conclusions.

Most of the decisions on this subject have centered around the reading of the Bible. One of the earliest cases was that of Donahue v. Richards, of Maine, in 1854. Although Bible reading was the real cause of it, the decision hinged on the authority of the Superintending School Committee. This was an action brought by the plaintiff, through her father, against the Superintending School Committee to recover damages for "maliciously, wrongfully and unjustifiably" expelling her from one of the town schools for refusing to read in the school the Protestant version

8 Massachusetts School Laws, 1911, p. 25, sec. 19.
9 Pennsylvania School Laws, 1913, p. 156, art. J.

of the English Bible, which had been ordered to be used therein. The court decided:

1. "That the legislature have reposed with the Superintending School Committee the power of directing the general course of instruction, and what books shall be used in the schools; and they may rightfully enforce obedience to all regulations by them made within the sphere of their authority.

2. "For the refusal to read a book thus prescribed, the committee may expel such disobedient pupil.

3. "No scholar can escape such requirement on the plea that his conscience will not allow the reading of such a book.

4. "Nor can the ordinance be nullified, because the church of which the scholar is a member holds that it is a sin to read the book prescribed.

5. "That a law is not unconstitutional because it may prohibit what one may conscientiously think right or require what he may conscientiously think wrong.

6. "A requirement by the Superintending School Committee that the Protestant version of the Bible shall be read in the public schools by the scholars who are able to read is in violation of no constitutional provision and is binding upon all members of the school, although composed of diverse religious sects."

Judge Appleton in giving the decision of the court said in part that:

"The common schools are not for the purpose of instruction in the theological doctrines of any religion, or of any sect. The state regards no one sect as superior to any other—and no theological views as peculiarly entitled to precedence. It is no part of the duty of the instructor to give theological instruction, and if the peculiar tenet of any particular sect were so taught it would furnish a well grounded cause of complaint on the part of those who entertained different or opposing religious sentiments. But the instruction here given is not in fact, and is not alleged to have been in articles of faith. No theological doctrines were taught. The creed of no sect was affirmed or denied. The truth or falsehood of the book, in which the scholars were required to read, was not asserted. No interference by way of instruction, with the views of the scholars, whether derived from parental or sacerdotal authority is shown. The Bible was used merely as a book in which instruction in reading was given. But reading the Bible is no more an interference with religious belief than would reading the mythology of Greece or Rome be regarded as interfering with religious belief or an affirmance of the pagan creeds. A chapter in the Koran might be read, yet it would not be an af-

firmation of the truth of Mohamedanism, or an interference with religious faith."[10]

Another decision which likewise declared the authority of school boards, though producing the opposite effect in this case, was given several decades later. The Board of Education of Cincinnati, in 1872, had adopted a resolution prohibiting religious instruction and the reading of religious books, including the holy Bible, in the common schools of Cincinnati, and repealing so much of the regulation on the course of study and text-books as provided for the reading of a portion of the Bible by, or under the direction of the teacher, and appropriate singing by the pupils. Suit was brought in the Superior Court of Cincinnati to enjoin the Board from carryng into effect these resolutions. Injunction being granted, the case was appealed to the Supreme Court which decided:

1. "The constitution of the state does not enjoin or require religious instruction, or the reading of religious books, in the public schools of the state.

2. "The legislature having placed the management of the public schools under the exclusive control of directors, trustees, and boards of education, the courts have no rightful authority to interfere by directing what instruction shall be given or what books shall be read therein."[11]

This decision thus made religious instruction optional with the school board, and asserted the right of the board to enforce the aforesaid resolution.

A most important case, determining the right of the town school committee to pass rules and regulations for the management of the schools, especially with reference to the opening exercises involving the use of the Bible was decided in the Massachusetts Court in 1866. The superintending school committee of the town of Woburn passed an order that the schools of the town should be opened each morning with reading from the Bible and prayer, and that during the prayer the scholars should bow their heads. One Ella R. Spiller refused to comply with such order and, largely because of the objection of the plaintiff's father to the latter portion of this order, the committee afterwards modified it and directed that any scholar should be excused from bowing

10 Donahue v. Richards, 38 Me., 379.

11 The Board of Education of the City of Cincinnati v. John D. Minor, 23 Ohio State, 211.

the head whose parent requested it. The plaintiff's father, however, declined to make such request and directed his daughter not to obey that part of the order. Persisting in her refusal to bow her head during prayer, she was excluded from the school until she should do so or her parent request that she should be excused therefrom. Suit was brought for damages, and the court held that her exclusion from the school was justifiable and furnished no ground for action. Chief Justice Bigelow, in giving the unanimus opinion of the court, composed of six judges, said in part:

"The power of the school committee of a town to pass all reasonable rules and regulations for the government, discipline, and management of the public schools under their general charge and superintendence is clear and unquestionable. Equally clear is it that the committee of the town of Woburn did not exceed their authority in passing an order that the Bible should be read and prayer offered at the opening of the schools on the morning of each day. No more appropriate method could be adopted of keeping in the minds of both teachers and scholars that one of the chief objects of education, as declared by the statutes of this commonwealth, and which teachers are especially enjoined to carry into effect, is to impress on the minds of the children and youth committed to their care and instruction the principles of piety and justice and a sacred regard for truth."[12]

In the independent district of Bloomfield, Iowa, the teachers were accustomed to occupy a few minutes each morning in reading selections from the Bible, in repeating the Lord's prayer, and singing religious songs. Action was brought in the district court against the teachers of the school and directors of the district, praying for an injunction to prevent the continuance of such exercise. The court refused to grant the injunction, and the case was appealed to the Supreme Court, which held that the injunction was properly denied and unanimously affirmed the decision of the lower court. Justice Adams, in giving the decision, said in part:

"The plaintiff concedes that under section 1764 of the Code of Iowa, if constitutional, neither the school directors nor the courts have the power to exclude the Bible from the public schools. The provision of the statute is in these words: 'The Bible shall not be excluded from any school or institution in this state, nor shall any pupil be required to read it contrary to the wishes of his parent or guardian.' Under this provision it is a

[12] Ella R. Spiller v. Inhabitants of Woburn, 12 Allen, 127.

matter of individual opinion with school teachers whether they will use the Bible in their schools or not, such option being restricted only by the provision that no pupil shall be required to read it contrary to the wishes of parent or guardian. The plaintiff insists, however, that it is unconstitutional. The provision of the constitution with which it is said to conflict is art. 1, sec. 3, bill of rights, providing,—'The general assembly shall make no law respectng an establishment of religion, or prohibiting the free exercise thereof; nor shall any person be compelled to attend any place of worship, pay tithes, or other rates, for building or repairing places of worship, or the maintenance of any minister or ministry.' The plaintiff's position is that by the use of the school house as a place for reading the Bible, repeating the Lord's prayer and singing religious songs, it is made a place of worship; and so his children are compelled to attend a place of worship and he as taxpayer is compelled to pay taxes for building and repairing a place of worship. He can conceive that exercises like those described might be adopted with other views than those of worship, and possibly they are in the case at bar; but it is hardly to be presumed that this is wholly so. For the purposes of the opinion it may be conceded that the teachers do not intend to wholly exclude the idea of worship. It would follow from such concession that the schoolhouse is, in some sense, for the time being, made a place of worship. But it seems to us that if we should hold the schoolhouse a place of worship, even conceding the Bible reading complained of to be for the purpose of religious worship, we should put a very strained meaning on the constitution. The object of the provision, we think, is, not to prevent the casual use of a public building as a place for offering prayer or doing acts of religious worship, but to prevent the enactment of a law whereby any person can be compelled to pay taxes for building or repairing any place designed to be used distinctively as a place of worship. . . . We do not think, indeed, that the plaintiff's real objection grows out of the matter of taxation. We infer from his argument that his real objection is that the religious exercises are made a part of the educational system into which his children must be drawn, or made to appear singular, and perhaps be subjected to some inconvenience. But, so long as the plaintiff's children are not required to be in attendance at the exercises, we cannot regard the objection as one of great weight. Besides, if we regarded it as of greater weight than we do, we should have to say that we do not find anything in the constitution or law upon which the plaintiff can properly ground his application for relief."[13]

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13 Moore v. Monroe, 64 Iowa, 367.

In recent years, the decisions for and against the use of the Bible have been about equally divided. In 1890 was decided the widely noted Edgerton case, which practically put the Bible out of the public schools of Wisconsin. This was the first case involving the question of sectarian instruction in any state whose constitution contains a direct prohibition of sectarian instruction in the public schools. In the city of Edgerton a number of teachers were accustomed to read each morning at the opening of school selections from the King James' version of the Bible. A number of residents and taxpayers of the district, members of the Roman Catholic Church, having children in school, objected and asked that such practice be discontinued. The board, however, refused to do so and the case came into the courts. The circuit court denied the writ of mandamus asked to compel the board to have Bible reading stopped, but the Supreme Court reversed the decision.

The constitutional objections urged by the petitioners were (1) that it violated the right of conscience, (2) that it compelled them to aid in the support of a place of worship against their consent, it was sectarian instruction. The decision included the following:

"The courts will take judicial notice of the contents of the Bible, that the religious world is divided into numerous sects, and of the general doctrines maintained by each sect.

"The use of any version of the Bible as a textbook in the public schools, and the stated reading thereof in such schools by the teachers, without restriction, though unaccompanied by any comment, has a tendency to inculcate sectarian ideas, within the meaning of sec. 3, ch. 251, Laws of 1883, and is sectarian instruction within the meaning of sec. 3, art. 10, of the constitution.

"But textbooks founded upon the fundamental teachings of the Bible or which contain extracts therefrom and such portions of the Bible as are not sectarian, may be used in the secular instruction of the pupils and to inculcate good morals.

"The fact that the children of the petitioners are at liberty to withdraw from the schoolroom during the reading of the Bible does not remove the ground of complaint.

"The stated reading of the Bible as a textbook in the public schools may be worship and the schoolhouse thereby become for the time being a place of worship within the meaning of sec. 18, art. II, constitution; and to such use of the schoolhouse the

tax payers, who are compelled to aid in its erection and in the maintenance of the school have a legal right to object."[14]

Michigan has no provision regarding sectarian instruction or the use of sectarian books, neither in her constitution nor in her statutes. In Pfeiffer v. Board of Education of Detroit, in 1898, it was sought to compel the board of education of the city of Detroit to discontinue the use in the public schools of a book known as "Readings from the Bible." The Supreme Court in reversing the order of the circuit court granting the writ of mandamus decided:

1. "A constitutional provision could not mean one thing at the time of its adoption, and another thing at a subsequent time, and hence it is to be construed with reference to the state of the law at the time of such adoption, and to the practice and usages then prevailing.

2. "Judicial notice may be taken of the practice, which has obtained for many years in the public schools, of reading from the Bible and offering prayer in the presence of pupils.

3. "The use in the public schools, for fifteen minutes at the close of each day's session, as a supplemental textbook on reading, of a book entitled. 'Readings from the Bible,' which is largely made up of extracts from the Bible, emphasizing the moral precepts of the Ten Commandments, where the teacher is forbidden to make any comment upon the matter therein contained, and is required to excuse from that part of the session any pupil upon application of his parent or guardian, is not a violation of the State Constitution, article 4, § 41, prohibiting the legislature from diminishing or enlarging the civil or political rights, privileges, and capacities of any person on account of his opinion or belief concerning matters of religion.

4. "Nor is it a violation of article 4, § 40, providing that no money shall be appropriated or drawn from the treasury for the benefit of any religious sect or society, theological or religious seminary, nor shall property belonging to the state be appropriated for any such purpose.

5. "Nor is it a violation of article 4, § 39, providing that 'the legislature shall pass no law to prevent any person from worshipping Almighty God according to the dictates of his own conscience,' or to compel any person to attend, erect, or support any place of religious worship, or to pay tithes, taxes or other rates for the support of any minister of the gospel or teacher of religion."

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14 Weiss v. School Board of Dist. No. 8, 76 Wis., 179.

Judge Montgomery, in giving the decision of the court, one judge dissenting, said in part:

"Is the reading of extracts taken from the Bible a violation of the provision of the constitution which inhibits the diminishing or enlarging of the civil or political rights, privileges, and capacities of the individual on account of his opinion or belief concerning matters of religion? We do not think it can be maintained that the section has any application to this subject. The primary purpose of this provision was to exclude religious texts, and to place citizens on an equality before the law as to the exercise of the franchise of voting or holding office. The language is inapt to be applied as restricting the use of school-rooms or school funds. It might be said that many of the students in our schools are not in position to avail themselves of the opportunity to study the dead languages. Is it therefore an unjust discrimination to provide for instruction in Latin and Greek for such pupils as are able to devote their time to those studies? Does it harm one who does not, for conscientious reasons, care to listen to reading from the Bible, that others are given the opportunity to do so? Is it not intolerant for one not required to attend to object to such readings. It may be said, of course, that the services of the teacher while engaged in these exercises are paid out of the fund in which all are entitled to share; but the same is true of the time which the teacher devotes to the languages, or instruction in higher mathematics. Does it follow that the civil rights or privileges of the students who do not accept teaching in those branches, or those who do, have been on the one hand diminished, or on the other, enlarged? I do not think it should be so held. In my opinion, the reading of the extracts from the Bible in the manner indicated by the return, without comment, is not in violation of any constitutional provision. I am not able to see why extracts from the Bible should be proscribed, when the youth are taught no better authenticated truths of profane history."[15]

An important case, agreeing in many particulars with the noted Edgerton case, was decided by the Nebraska Supreme Court in 1903. The constitution of Nebraska, like that of Wisconsin, prohibits sectarian instruction. One Freeman, a Catholic, who had several times before interfered in like manner, objected to the opening exercises in the public school of district No. 21, Gage County, Neb., where his children were attending. The teacher, with the approval of the directors, was accustomed to read a portion of the Bible, sing gospel hymns, and offer prayer.

[15] Pfeiffer v. Board of Education of Detroit, 118 Mich., 560.

The matter was referred to the State Superintendent, who approved of the exercises, but some days before his letter reached the board, Freeman had begun action in the district court of Gage county.

"The decison of the judge *ut nisi prius* was to the effect that the matter of textbooks, etc., to be used in public schools, was to be determined by the school board, and, except in a case of abuse, the court would not attempt to control their discretion."

The constitution of Nebraska contains the following:

Art. 1, Sec. 4. "All persons have a natural and indefeasible right to worship Almighty God according to the dictates of their own consciences. No person shall be compelled to attend, erect, or support, any place of worship against his consent, and no preference shall be given by law to any religious society, nor shall any interference with the rights of conscience be permitted."

Art. 8, Sec. 11. "No sectarian instruction shall be allowed in any school or institution supported, in whole or in part, by the public funds set apart for educational purposes."

The Supreme Court decided that:

"Exercises by a teacher in a public school building, in school hours, and in the presence of the pupils, consisting of the reading of passages from the Bible, and in the singing of songs and hymns, and offering of prayer to the Deity, in accordance with the doctrines, beliefs, customs, or usages of sectarian churches or religious organizations, is forbidden by the constitution of this state."

Chief Justice Sullivan in over-ruling a rehearing gave the following opinion:

1. "The right of all persons to worship Almighty God according to the dictates of their own consciences is declared by the constitution of this state to be a natural and indefeasible right.

2. "There is nothing in the constitution or laws of this state, nor in the history of our people, upon which to ground a claim that it is the duty of government to teach religion.

3. "The whole duty of the state with respect to religion is to protect every religious denomination in the peaceable enjoyment of its own mode of public worship.

4. "Enforced attendance upon religious services is forbidden by the constitution, and pupils in a public school cannot be required either to attend such services or to join in them.

5. "A teacher in a public school, being vested during school hours with a general authority over his pupils, his requests are practically commands.

6. "It is immaterial whether the objection of a parent to his children attending, and participating in a religious service conducted by a teacher in the school room during school hours, is reasonable or unreasonable. The right to be unreasonable in such matters is guaranteed by the constitution.

7. "The law does not forbid the use of the Bible in public schools; it is not prescribed either by the constitution or statutes; and the courts have no right to declare the use to be unlawful because it is possible or probable that those who are privileged to use it will misuse the privilege by attempting to propagate their own peculiar theological or ecclesiastical views and opinions.

8. "The point where the courts may rightfully interfere, to prevent the use of the Bible in a public school, is where legitimate use has degenerated into abuse—where a teacher employed to give secular instruction has violated the constitution by becoming a sectarian propagandist.

9. "Whether it is prudent or politic to permit Bible reading in the public schools is a question for the school authorities, but whether the practice of Bible reading has taken the form of sectarian instruction is a question for the courts to determine upon evidence.

10. "It will not be presumed in any case that the law has been violated; every alleged violation must be established by competent proof."[16]

A few years ago the Kansas Supreme Court was called upon to pass on the use of the Bible in the public schools. In 1904, one Philip Billard was expelled from school for persistently disobeying its rules. The opening exercises of the school consisted, generally, of repeating the Lord's prayer and the twenty-third Psalm, of reading selections from natural history and of singing occasionally a selection from the "Normal Music Course." The pupils were not required to take part in these exercises, but were required to refrain from their regular studies and preserve order during that period. The plaintiff made complaint, and thereafter Philip was excused from attending these exercises and permitted to enter the schoolroom fifteen minutes after the regular hour. After a time he again entered school with other pupils and persisted in disobeying this rule. After repeated admonitions from his teacher and reproofs for disobedience and positive refusal to obey, he was expelled. The plaintiff sought by mandamus in the district court of Shawnee county to compel the board of educa-

[16] State v. Scheve, 65 Neb., 853.

tion to permit his son Philip to re-enter the city schools, but failing in this the case came before the Supreme Court. The Supreme Court in affirming the judgment of the court below, declared that the exercises complained of were not a form of religious worship or the teaching of sectarian or religious doctrine.

"There is nothing in the constitution or statute which can be construed as an intention to exclude the Bible from the public schools. . . . The noblest ideals of moral character are found in the Bible. To emulate these is the supreme conception of citizenship. It could not, therefore, have been the intention of the framers of our constitution to impose the duty upon the legislature of establishing a system of common schools where morals were to be inculcated and exclude therefrom the lives of those persons who possessed the highest moral attainments."[17]

Recently cases involving the question of sectarian instruction have again been before the courts. In 1906, the Court of Appeals of New York affirmed the judgment of the State Superintendent (now the Commissioner of Education) who had decided:

"That the wearing of an unusual dress or garb, worn exclusively by members of one religious denomination for the purpose of indicating membership in that denomination, by the teachers in the public schools during school hours while teaching therein, constitutes a sectarian influence and the teaching of a denominational tenet or doctrine which ought not to be persisted in."[18]

The court declared:

1. "While no express authority was given the state superintendent of public instruction under Consolidated School laws, Laws 1894, p. 11, c. 556, to establish regulations as to the management of public schools, he has the power to make such regulations as are consonant with the general purpose of the statute and not inconsistent with the laws of the state.

2. "A regulation of the superintendent of public instruction prohibiting teachers in public schools from wearing a distinctly religious garb while teaching therein is a reasonable and valid exercise of the power conferred upon him to establish regulations as to the management of public schools, because the influence of such apparel is distinctly sectarian, and the prohibition is in accord with the public policy of the state, as declared in court, art. 9, § 4, forbidding the use of property or credit of the state in the aid of sectarian influence."[19]

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17 Billard v. The Board of Education of the City of Topeka, 69 Kan., 53.

18 State School System II, Bulletin No. 7, p. 313.

19 O'Conner v. Hendrick, 77 N. E., 612.

In 1908, it was sought to compel the board of trustees of the public school of the city of Corsicana, Texas, to desist from conducting certain exercises in said school alleged to be religious or sectarian. Judge Brown in giving the decision of the Supreme Court said:

"This is an action for mandamus brought in the district court by appellees against the board of trustees of the public school of the city of Corsicana, appellees commanding said trustees to desist from conducting certain exercises in said school which are alleged to be religious and sectarian. Defendants answered by general denial and specially, in substance, that said exercises were neither religious nor sectarian in the sense prohibited by the constitution or laws of the state. A trial before the court without a jury resulted in favor of defendants, and the plaintiff's appeal. The evidence shows that E. H. Church does not believe in the inspiration of the Bible, that J. B. Jackson and Mrs. Lita Garrity are Roman Catholics, and that M. Cohen and Abe Levine are jews. All of said parties have children and are patrons of said school. Mrs. Garrity and E. H. Church had protested to said trustees and teachers against the conducting of said exercises. Jackson, Cohen, and Levine had made no protest. The protest made had been disregarded by said trustees, and their action sustained by the state superintendent of public instruction. Said exercises were conducted in pursuance of the following resolution adopted by the board of school trustees of the city of Corsicana, viz., 'Whereas, in the opinion of the board of school trustees of the Independent school district of the city of Corsicana, it would tend to draw the attention of the pupils away from other affairs and concentrate it upon the school work and would also tend toward an uplift of the moral tone of the student body, to have the daily sessions of our schools begin with appropriate "opening exercises," therefore, be it resolved by said board, that the board will view with favor the inauguration by the superintendent of a morning "opening exercise" in the high school and in all the rooms of the several ward schools, in which a short passage of the Bible may be read, without comment, by the teacher in charge, the Lord's Prayer recited in concert, and appropriate songs sung by the pupils. It is not intended by the board, however, to herein prescribe the character of such opening exercises, but is simply desired to indicate to the superintendent and teachers that any reasonable regulation in regard to such morning exercises along the lines above indicated, established by the superintendent, will have the sanction and approbation of the board.' The exercises complained of are: 'The most of the teachers (but not all of them) read every morning from the Bible to their classes, and the pupils in almost every room are

invited to join in the recital of the Lord's Prayer, and in all the rooms songs are sung by the pupils, usually patriotic songs such as "America," and the songs usually found in the music book used in the public schools of Texas. These exercises are prescribed by the superintendent of the city schools, under and by virtue of the resolutions shown above, and constitute a part of the regular order of every day, and all children attending the public schools of Corsicana are expected to be present during such exercises, and are not excused therefrom, and are marked tardy if not present when such exercises begin. No pupil, however, is required by the teacher in charge to take active personal part in such exercises, though all are invited by the teachers to do so, the pupils are not required by the teacher to repeat the Lord's Prayer or to join in the songs sung, but are invited to do so, and as a matter of fact as a general thing, nearly all pupils join in the recital of the Lord's Prayer and in the singing. The only requirement made and enforced in the opening exercises of the school is that the pupil shall be present, and during the exercises behave in an orderly manner. The only attitude or posture which pupils are requested to assume during the exercises in question is that of bowing the head during the Lord's Prayer, and this is not required by the teachers of the pupils. Since the said opening exercises have been held, beginning with the opening of schools in September last, the selections from the Bible, which have been read in the several rooms of the schools, have been principally passages from the Old Testament, including selections from Psalms, Proverbs, and some of the old familiar stories from the Old Testament. The selections read from the New Testament are usually the sermon on the mount and the passages of like tenor. In all reading the Bible used is King James' version. Since the practice of reading of the Bible was begun as aforesaid in said schools, the reading by the several teachers has been without comment, explanation, or attempt at interpretation whatever. . . .

"To hold that the offering of prayers, either by the repetition of the Lord's Prayer or otherwise, the singing of songs, whether devotional or not, and the reading of the Bible, make the place where such is done a place of worship would produce intolerable results. The house of representatives and the senate of the state legislature each elect a chaplain, who, during the session, daily offers prayers to Almighty God in behalf of the State, and in the most express manner invokes the supervision and oversight of God for the lawmakers. In the chapel of the state university building a religious service, consisting of singing songs, reading portions of the Bible, with prayers and addresses by ministers and others, is held each day. The Young Men's Chris-

tian Association hold their services in that building each Lord's Day, and the Young Women's Christian Association has a like service in another public building. At the blind institute on each Lord's Day prayers are offered, songs are sung, Sunday school is taught, and addresses made to the children with regard to religious matters. An annual appropriation is made for a chaplain for the penitentiary. In fact, Christianity is so interwoven with the web and woof of the state government that to sustain the contention that the constitution prohibits reading the Bible, offering prayers, or singing songs of a religious character in any public building of the government would produce a condition bordering upon moral anarchy. The absurd and hurtful consequences furnish a strong argument against the soundness of the proposition. The right to instruct the young in the morality of the Bible might be carried to such extent in the public schools as it would make it obnoxious to the constitutional inhibition, not because God is worshipped, but because by the character of the services the place would be made 'a place of worship.'

"There is no difference in the protection given by our constitution between citizens of this state on account of religious beliefs; all are embraced in its broad language and are entitled to the protection guaranteed thereby; but it does not follow that one or more individuals have the right to have the courts deny the people the privilege of having their children instructed in the moral truths of the Bible because objectors do not desire their own children shall be participants therein. This would be to starve the moral and spiritual nature of the many out of deference to the few."[20]

Other cases[21] might be cited, but they would only further illustrate the general trend of the judicial decisions. The courts while not in full accord as to whether the reading of the Bible constitutes sectarian instruction, are unanimous in their decisions against sectarian teaching in the public schools.

The State the Factor of Control.

The provisions, constitutional as well as statutory, considered in this chapter, are growths largely of the last fifty years. There was no constitutional prohibition to granting state aid for sectarian purposes prior to the admission of Wisconsin into the union, in 1848.[22] No less than eleven constitutional provisions

[20] State School Systems II, Bulletin No. 7, p. 316.

[21] Millard v. Board of Education, 121 Ill., 297; Nicholls v. School Directors, 93 Ill., 61; Spencer v. Joint School District, 15 Kan., 202.

[22] Cance: The Legal Status of Religious Instruction in the Public Schools, p. 50.

were passed in the decade from 1885 to 1895. Moral and religious education is no longer dominated by church or sect or local interest, but the state has assumed control over this important subject to safeguard the rights and privileges of society, individually as well as collectively. Thus again it is apparent that the public school is a state not a local institution, and the control of the instruction here considered is further proof of the centralizing tendency before noted in elementary and secondary education.

CHAPTER VII.

INSPECTION AND SUPERVISION.

Importance of Supervision.

In every line of human activity requiring united and organized effort for the accomplishment of the end in view, some direction and management is an inevitable necessity. With every increase in the complexity of the social organization, the function of the manager becomes more important. In the industrial world the "Captain of Industry" directs and marshals his forces, and bears in large measure the responsibility for failure or success. Under his efficient leadership, business enterprise achieves brilliant success, only to decline and even end in failure when influences or circumstances remove the guiding hand and brain. What is true industrially is equally true commercially and politically, and holds with equal force in any system of education. School legislation in itself accomplishes but little. However comprehensive and effective the laws, unless the same are wisely administered, unless the various forces of the educational regime are skilfully directed and supervised, the best enactments will prove of little avail and fail to attain the end for which they were conceived.

State control of education is exercised in two ways, through its laws and through its agents. The laws indicate the rules and regulations which are to govern the various educational interests of the state. The effectiveness of any law, however, depends on the spirit and character of its enforcement, and hence, to the extent that the state provides officers and vests them with power to direct and enforce the various educational provisions of the state, will state control be effective. In the preceding chapters the legal provisions pertaining to state control of elementary and secondary courses of study have been considered, in the present the ef-

forts of the state to make these laws vital and effective will be analyzed.

STATE SUPERINTENDENT.

State supervision of public education, although of comparatively recent development, is attaining extensive proportions. In each state today, with one exception—Delaware—there is a state superintendent. Thirty-two[1] of the states provide for this official in their state constitutions. In Arkansas, Arizona, California, Colorado, Florida, Idaho, Illinois, Indiana, Iowa, Kansas, Kentucky, Michigan, Minnesota, Montana, Nebraska, Nevada, New Hampshire, New Mexico, North Carolina, North Dakota, Ohio, Oklahoma, Oregon, Pennsylvania, South Dakota, Tennessee, Texas, Utah, Virginia, Washington, Wisconsin, and Wyoming, he is known as superintendent of public instruction; in Alabama, South Carolina, and Vermont, as superintendent of education; in Louisiana, Maryland and Mississippi, as superintendent of public education; in Maine, and Missouri, as superintendent of public schools; in West Virginia, as superintendent of free schools; in Connecticut, as secretary of the state board of education; in Massachusetts, New Jersey and New York, as commissioner of education; in Rhode Island, as commissioner of public schools; in Georgia, as state superintendent of schools. In most of the states,[2] he is elected by popular vote at the general election for a term varying from two to four years. In Arizona, Maine, Maryland, Minnesota, New Hampshire, New Jersey, Mexico, Oklahoma, Pennsylvania and Tennessee, he is appointed by the governor. The state board of education appoints the secretary in Connecticut, while this power of appointment rests with the general assembly in Rhode Island and Vermont.

For this important position, fitness for office rather than political considerations should prevail. It is significant, however, that in only one of the states is the election for state superintendent held at other than the general election day. Wisconsin, in 1901, changed the time of election from the general election in November to the time of the judicial election in April, for the

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1 Ala., Ariz., Ark., Cal., Col., Fla., Ga., Ida., Ill., Ind., Kan., Ky., La., Mich., Miss., Mo., Mont., N. C., No. Dak., Neb., Nev., Okla., Ore., Pa., S. C., So Dak., Utah, Vt., Wash., W. Va., Wis., Wyo.

2 See table.

purpose of removing the office out of partisan politics. Still more remarkable, however, is the fact that in nearly all the states the law is silent as to professional qualifications, only ten states prescribing any whatsoever. Tennessee requires:

"The State Superintendent shall be a person of literary and scientific attainments, and of skill and experience in the art of teaching, and who shall be nominated by the Governor and confirmed by the Senate."[3]

Virginia demands that the superintendent of public instruction "shall be an experienced educator."[4] The law in West Virginia stipulates that:

"He shall be a person of good moral character, of temperate habits, of literary acquirements and skill, and experience in the art of teaching."[5]

Montana prescribes that:

"The Superintendent of Public Instruction shall have attained the age of thirty years at the time of his election, and shall have resided within the state two years next preceding his election, and is the holder of a State certificate of the highest grade issued in some state and recognized by the State Board of Education, or is a graduate of some university, college or normal school recognized by the State Board of Education as of equal rank with the University of Montana or the State Normal School."[6]

In North Dakota it is required that the superintendent of public instruction:

"Shall have attained the age of twenty-five years, who shall have the qualifications of an elector for that office, and be the holder of a teacher's certificate of the highest grade, issued in this state."[7]

In Utah it is stipulated that the

"State Superintendent, at the time of his election, shall be a qualified elector, shall have been a resident citizen of the State of Utah for five years next preceding his election, shall have attained the age of thirty years, shall be the holder of a state certificate of the highest grade issued in some states or shall be a graduate of some reputable university, college or normal school."[8]

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3 Tennessee Public School Laws, 1909, p. 3, sec. 3.
4 Virginia Public School Laws, 1911, p. 9, sec. 7.
5 West Virginia School Laws, 1911, p. 56, sec. 124.
6 Montana School Laws, 1913, p. 26, sec. 200.
7 North Dakota School Laws, 1911, p. 11, sec. 1.
8 Utah School Laws, 1913, p. 7, sec. 1774.

In 1903 a law was passed in Wisconsin requiring that:

"No person shall be eligible to the office of the state superintendent of public instruction who shall not at the time of his election thereto have taught or supervised teaching in the state of Wisconsin for a period of not less than five years, and who shall not, at such time, hold the highest grade of certificate which the state superintendent is by law empowered to issue."[9]

It is easily seen that these requirements are too indefinite, and are remarkable rather for what they omit than what they contain. While it is true that in spite of this, on the whole, the state superintendents have been men of high character and efficiency, it would seem that the law ought to prescribe qualifications commensurate with the importance of the highest educational office of the state. The powers and duties in almost any one of the states are extensive enough to call for men of the highest training, experience and ability. His peculiar relation, not only to elementary and secondary schools, but to higher education as well, calls for qualifications of the first rank. It demands broad scholarship that he may see and appreciate the needs and functions of all classes of schools, and wisely direct and stimulate the various educational agencies of the state, so that they may properly cooperate and work harmoniously for the highest and best welfare of all. He should be a true teacher by endowment, training and experience, so that he may be able to use wisely the opportunities open to him in stimulating and raising the professional interests of the teachers of the state. He should be an educator of such pronounced ability and force, that his moral and professional influence may command respect in nation as well as state.

The powers and duties of the superintendent vary greatly in the different states. His greatest influence, probably, springs out of his relations to the various schools, elementary, secondary and higher, the course of study, and the teachers of the state. In thirty-two states he is charged with the general supervision of public education. Thus Alabama requires:

"He shall devote his time to the care and improvement of the common schools, and the promotion of public education, and shall exercise a general supervision over all the educational interests of the state."[10]

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9 Wisconsin School Laws, 1911, p. 4, sec. 164.
10 Alabama School Laws, 1911, p. 6, sec. 1685.

While this law is general, it empowers the superintendent to exercise a directing influence in the entire educational system and promote its best interests. Much of the best legislation comes about only through the creation of an intelligent public sentiment, and all laws unless thus supported will remain but a silent letter. The efficiency of any school depends not only on teachers and courses of study, but as much or more on the public sentiment which prevails in the community. Likewise the public school system requires for its highest welfare the intelligent interest and support of the people of the state. It is with this in view that Maine makes it the duty of the state superintendent:

"To obtain information as to the school systems of other states and countries, and the condition and progress of public school education throughout the world; to disseminate this information, with such practical hints upon the conduct of schools, improved systems of instruction, and the true theory of education as observation and investigation convince him to be important, by public addresses, circulars and articles prepared for the press, and by outlines, suggestions and directions concerning the management, discipline and methods employed in teaching, prepared for and distributed among the teachers of the schools and school officers of the state; and to do all in his power to awaken and sustain an interest in education among the people, and to stimulate teachers to well-directed efforts in their work."[11]

In twelve states[12] he is authorized to call county superintendents' conventions; in fifteen,[13] to arrange for teachers' institutes; in twelve,[14] there is a definite provision for school visitation. This direct personal contact with those who direct and those who carry on the work of teaching, offers a great opportunity to stimulate right interests and mould the educational policy of the state. While it cannot be expected that the state superintendent shall visit many schools, yet through this means he is enabled to keep in touch with their work, see their real needs and, as far as he is able, further their interests. Iowa illustrates the general emphasis which is placed upon the foregoing consideration:

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11 Maine School Laws, 1913, p. 39, sec. 100.

12 Cal., Fla., Ida., Iowa, La., Minn., Miss., No. Dak., So. Dak., Utah, Wash., Wis.

13 Ala., Fla., Ida., Me., Md., Minn., Mont., Neb., N. H., N. Mex., No. Dak., Ore., So. Dak., Vt., Va.

14 Ala., Cal., Col., Ga., Ida., Mo., Neb., Nev., Ohio, Ore., S. C., Utah, Vt., Wash.

"He shall be charged with the general supervison of all the county superintendents and the common schools of the state; may meet county superintendents in convention at such points in the state as may be most suitable for the purpose, at which proper steps may be taken, looking toward securing a more uniform and efficient administration of the school laws. He shall appoint, upon the request of county superintendents, the time and place for holding teachers' institutes, such institutes to be called when it is probable that not less than twenty teachers will be present, and remain in session not less than six working days, of which time and place of meeting he shall give notice to the county superintendent of the proper county. He shall attend teachers' institutes thus called in the several counties of the state, so far as consistent with his official duties, and assist in their management and instruction. He shall have power to collect, publish and distribute statistical and other information relative to public schools and education in general; to visit teachers' association meetings and make tours of inspection among the common schools and other institutions of learning in the state, and may deliver addresses upon subjects relative to education; to prepare, publish, and distribute blank forms for all returns he may think necessary, or that may be required by law, of teachers, or school officers; to publish and distribute annually leaflets and circulars relative to arbor day, memorial day, and other days considered by him worthy of special observance in public schools, the number to be determined by the executive council; to prepare questions for the use of county superintendents in the examination of applicants for teachers' certificates; and to prepare, publish and distribute, among teachers and school officers, courses of study for use in the rural and high schools of the state, the number thereof to be fixed by the executive council."[15]

In New York, public education is practically under the absolute control of the regents of the University,[16] inasmuch as the commissioner of education, although granted great power in relation to elementary, secondary, and other schools, serves during the pleasure of the board of regents, and all appointments in the Education department made by the commissioner are subject to the approval of the regents.[17] Among his general powers and duties are the following:

"He is the chief executive officer of the state system of education and of the board of regents. He shall enforce all general

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15 Iowa School Laws, '11, p. 7, sec. 2622.

16 See chap. VIII.

17 New York Education Law, 1912, p. 6, secs. 20-24.

and special laws relating to the educational system of the state and execute all educational policies determined upon by the board of regents.

"He shall have general supervision over all schools and institutions which are subject to the provisions of this act, or of any statute relating to education, and shall cause the same to be examined and inspected, and shall advise and guide the school officers of all districts and cities of the state in relation to their duties and the general management of the schools under their control.

"He shall have general supervision of industrial schools, trade schools and schools of agriculture, mechanic arts and homemaking; he shall prescribe regulations governing the licensing of the teachers employed therein; and he is hereby authorized, empowered and directed to provide for the inspection of such schools, to take necessary action to make effectual the provisions therefor, and to advise and assist boards of education in the several cities and school districts in the establishment, organization and management of such schools.

"He shall also have general supervision over the state normal schools which have been, or which may hereafter be, established, as required by the provisions of this chapter.

"He shall be ex officio a trustee of Cornell university.

"He may annul upon cause shown to his satisfaction any certificate of qualification granted to a teacher by any authority whatever, or declare any diploma issued by a state normal school ineffective and null as a qualification to teach a common school within this state, and he may reconsider and reverse his action in any such matter.

"He is hereby authorized to furnish, by means of pictorial or graphic representations, additional facilities for instruction in geography, history, science and kindred subjects, to schools, institutions and organizations under the supervision of the regents. Material collected for this purpose may, under regents' general rules, be lent for a limited time to responsible institutions and organizations for the benefit of artisans, mechanics and other citizens of the several communities of the state."[18]

State Courses of Study.

In Arkansas, Iowa, Maine, Michigan, Montana, North Dakota, Pennsylvania, Vermont and Wisconsin, the state superin-

[18] New York Education Law, 1912, p. 24, sec. 94.

tendent is directed to prepare and distribute courses of study for the public schools of the state. Thus in Vermont, the

"Superintendent may, when necessary, prepare and issue a course of study for use in the elementary schools as a requisite for admission to high schools and academies, and shall distribute one copy of such course to each teacher of the public schools and two copies to each school officer."[19]

It does not follow, however, that the state course is always adopted. In Iowa, the district board is by law required to prescribe the course to be studied, although it is urged by the state department that the state course be adopted.[20] In three of the above mentioned states, Montana, Pennsylvania, and Wisconsin, and also in Alabama (Co. H. S.), Missouri, North Carolina and Oregon, he is required to plan the curriculum for the secondary schools. North Dakota requires of the state superintendent that:

"He shall prepare and prescribe a course of study for all the common schools of the state."[21]

In Oregon, the two years of required work in high schools is laid down by the state superintendent, after consultation with county and district high school boards.[22]

In Wisconsin it is his duty:

"To prepare and publish from time to time, as occasion may require, a course of study for ungraded, state graded, and free high schools, and day schools for the deaf, with such comments and instruction as may be deemed essential for an intelligent understanding thereof; to compile, edit and distribute to the schools annually in pamphlet form matter adapted to and suitable for the intelligent observance of arbor, and bird day, and memorial day; to provide the subject matter and statistics necessary for the printing of all reports, pamphlets, and circulars published for any and all these purposes."[23]

State courses of study have doubtless their advantages. Some degree of uniformity in a state system of schools is not only desirable but a necessity. In order to afford equal opportunities for all, to give any permanence and continuity to instruction under the unstable and ever-changing teaching force, standardization becomes necessary. There are certain fundamentals recognized everywhere as integral parts of any curriculum. Pupils from one

19 Vermont School Laws, 1911, p. 7, sec. 923.
20 Iowa School Laws, 1911, p. 55 (note).
21 North Dakota School Laws, 1911, p. 12, sec. 5.
22 See chap. III.
23 Wisconsin School Laws, 1911, p. 6, sec. 6.

place entering school in another ought to be able to continue their work without much loss of time and effort. Nevertheless, to grant to any official the authority to impose upon all localities an inflexible course of study, especially when the law does not require special fitness for this office, would hardly seem the part of wisdom. Even though the superintendent is eminently qualified for this work, it cannot be expected that he shall know the needs and conditions of all localities of the state fully, and produce a course of study that will be best adapted to all parts of the commonwealth. Nor is such a policy in sympathy with the spirit of the time. The school should be intimately related to the community, democratic ideas should prevail in its organizaton, as far as possible, and nothing should be done that will lessen the intelligent local interest and support so necessary to its highest efficiency.

Moreover, a course of study is a social growth and not a static something imposed from without. It must be distinctly dynamic, varying from time to time to meet the changing social demands. It is the classroom that must finally give reality to every part of the course of study. To do this most effectively, the teacher must be placed in a position of responsibility regarding it. He must weigh and test and evaluate, and have a vital interest in the fundamental questions involved in the work. The course of study to be most effective must be a product of the combined experience of those who administer it.

State Board of Education.

In many of the states, there is in addition to the superintendent of public instruction a state board of education.[24] In California, Colorado, Florida, Idaho, Iowa, Michigan, Mississippi, Missouri, North Carolina, Nebraska, South Carolina, Texas and Virginia, provision is made for such board by constitutional enactment. The powers and functions of this board vary greatly in different states. In most of them their connection with elementary and secondary education is of minor importance, but in a few states they bear the same relation to the public schools of the state that is usually sustained by the state superintendent.

[24] Ariz., Cal., Col., Conn., Del., Fla., Ga., Ida., Ind., Kan., Ky., La., Md., Mass., Mich., Miss., Mo., Mont., Nev., N. J., N. Mex., N. C., Okla., Ore., R. I., S. C., Tenn., Tex., Utah, Va., Vt., Wash.

Thus Delaware, having no state superintendent, rests the general supervision and control of its public schools in the state board of education.[25]

Massachusetts, in 1909, consolidated the Board of Education and the Commission on Industrial Education. It was enacted:

"The board of education shall consist of nine persons, three of whom shall annually in April be appointed by the governor, with the advice and consent of the council, for terms of three years, except as hereinafter provided. The members of the board shall serve without compensation. During the month of June in the current year the governor shall so appoint all of said nine members of the board, whose terms of office shall begin on the first day of July, nineteen hundred and nine, three for terms ending May first, nineteen hundred and eleven, three for terms ending May first, nineten hundred and twelve, and three for terms ending May first, nineteen hundred and thirteen. Four of the present members of the board of education, and one of the members of the commission on industrial education, shall be appointed members of the board of education provided for by this act.

"The board of education shall exercise all the powers and be subject to all the duties now conferred or imposed by law upon the present board of education, or upon the commission on industrial education by chapter five hundred and five of the acts of the year nineteen hundred and six, and by chapter five hundred and seventy-two of the acts of the year nineteen hundred and eight, and acts in amendment thereof and in addition thereto, except as may otherwise be provided herein.

"The board shall appoint a commissioner of education whose term of office shall be five years, and may fix his salary at such sum as the governor and council shall approve. Said commissioner may at any time be removed from office by a vote of six members of the board. He shall exercise the powers and perform the duties now conferred or imposed by law on the secretary of the board of education. He shall be the executive officer of the board, shall have supervision of all educational work supported in whole or in part by the commonwealth, and shall report thereon to the board. The board shall also appoint two deputy commissioners, at equal salaries, one of whom shall be especially qualified to deal with industrial education. The powers, duties, salaries and terms of office of said deputy commissioners shall be such as may be established from time to time by the board, but the board may, by a vote of six members thereof, remove from office at any time either of said deputy commissioners. The board may be allowed for rent, salaries of the commissioner, the deputies,

[25] Delaware School Laws, 1913, p. 5, sec. 1.

agents, assistance and clerical service, and for travelling and other necessary expenses of the commissioner, the deputies, agents, and of the board, incurred in the performance of their official duties, such sum as shall be appropriated by the general court annually, payable out of the treasury of the commonwealth."[26]

The state board of Connecticut is organized upon much the same plan, and excepting the provisions for industrial education, performs similar duties.

The board "shall have general supervision and control of the educational interests of the state; may direct what books shall be used in all its schools, but shall not direct any book to be changed oftener than once in five years; shall prescribe the form of registers to be kept in said schools and the form of blanks and inquiries for the returns to be made by the various school boards and committees; shall keep informed as to the condition and progress of the public schools in the state; and shall seek to improve the methods and promote the efficiency of teaching therein, by holding, at convenient places in the state, meetings of teachers and school officers, for the purpose of instructing in the best modes of administering, governing, and teaching public schools, and by such other means as they shall deem appropriate; but the expenses incurred in such meetings shall not exceed the sum of three thousand dollars in any year.

"Said board shall, on or before the Monday after the first Wednesday in January, in each year, submit to the governor a report containing a printed abstract of said returns, a detailed statement of the doings of the board and an account of the condition of the public schools, of the amount and quality of instruction therein, and such other information as will appraise the general assembly of the true condition, progress and needs of public education."[27]

State Supervision.

State supervision of actual school work may be said to be still in its infancy. Only a few states have made special provision for this purpose. Virginia[28] is the only state in which it is under the absolute control of the state board of education, and where it is carried on by state officials. Aside from Virginia, Wisconsin has probably made the greatest advance in this respect, having made provision for inspection of high, graded and rural schools.

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26 Massachusetts, Sch. L. '11, p. 3, secs. 1, 2, 3.
27 Connecticut School Laws, '12, p. 6, sec. 2.
28 Virginia School Laws, '11, p. 3, sec. 7.

"He may also appoint in like manner, an inspector of free high schools, who shall assist him in visiting, inspecting and supervising such schools and aid in giving information and assistance in the organization and maintenance thereof in towns where there are no graded schools. When he is not engaged in the performance of said duties, said inspector may be assigned to such duties in the office of the state superintendent as the latter may designate."[29]

"The state superintendent is hereby authorized to appoint two persons of suitable qualifications to assist him in inspecting and supervising the state graded and free high schools, and to aid him in giving information and needed assistance to localities in organizing such schools. Such persons shall be known as state school inspectors, and shall each receive an anuual salary of sixteen hundred dollars, and reimbursement for all actual and necessary travelling expenses incurred, when duly certified to by the state superintendent; said salary and expenses to be paid monthly from the general fund, and to be deducted from the annual appropriation provided for in this act, before the apportionment is made to the state graded schools. Said state school inspectors, when not engaged in the specific duties enumerated herein, may be assigned for such other duties as the state superintendent may determine and designate."[30]

"The state superintendent is hereby authorized to appoint a competent and suitable person as an inspector of rural schools. It shall be the duty of said inspector to visit and inspect, as far as practicable, the rural schools of each county in the state and to procure information concerning the rural school districts. This inspector shall assist the state superintenednt in preparing such special reports to the governor and legislature, bearing upon the conditions and needs of rural schools as may be advisable. It shall also be the duty of this inspector to confer with each county or district superintendent concerning the condition of the schools in his county or district; to consult with school officers, patrons and teachers in regard to school management, discipline, branches of study, school law and school sanitation, and by public lectures, conferences and meetings endeavor to arouse an intelligent interest in industrial and agricultural education, as well as in the usual routine work of the elementary rural school. The inspector provided for by this chapter shall work under the direction of the state superintendent and shall report to him as often as may be deemed necessary, concerning the conditions found in the schools

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29 Wisconsin School Laws, 1911, p. 4, sec. 165a.
30 Wisconsin School Laws, 1911, p. 214, sec. 496f.

and districts inspected, and of the work done in the discharge of his duties."[31]

In Minnesota the State High School Board is authorized to appoint high and graded school inspectors:

"It shall appoint a high and a graded school inspector, and such assistant inspectors and examiners as may be necessary, and fix their compensation; but no person receiving a salary from a state institution shall receive any compensation under this section, and the pay of examiners shall not exceed three dollars per day, or fifty cents per hour."[32]

Attention might be called in this connection to the authority exercised by Massachusetts over local supervision. Towns below a certain valuation are required to form unions for the employment of a superintendent whose qualifications are determined by the state board of education.

"The school committee of two or more towns the valuation of each of which is less than two million five hundred thousand dollars, and the aggregate number of schools in all of which is not more than fifty nor less than twenty-five, and the school committee of four or more towns the valuation of each of which does not exceed two million five hundred thousand dollars, without reference to the minimum limit in the aggregate number of schools aforesaid, shall form a union for the purpose of employing a superintendent of schools. The school committee of such towns shall be a joint committee, which, for the purpose of such union, shall be the agents of each town therein. Such union shall not be dissolved, except by a vote of a majority of the towns constituting the union, and the consent of the board of education to such dissolution, nor shall it be dissolved for the reason that the valuation of any one of the towns shall have so increased as to exceed two million five hundred thousand dollars, nor for the reason that the number of schools shall have increased beyond fifty, or in a union of less than four towns, shall have decreased below twenty-five.

"When the chairman and secretary of such joint committee certify to the auditor of accounts under oath, that a union has been effected, that the towns, in addition to an amount equal to the average of the total amount paid, or to the amount paid each child, by the several towns for schools during the three years then last preceding, unitedly have appropriated and raised by taxation not less than seven hundred and fifty dollars for the support of a superintendent of schools, and that a superintendent of

[31] Wisconsin School Laws, 1911, p. 8, sec. 167a.
[32] Minnesota School Laws, 1913, p. 85, sec. 250.

schools has been employed for one year, a warrant shall, upon the approval of the certificate by the board of education, be drawn upon the treasurer and receiver general for the payment of twelve hundred and fifty dollars, three-fifths of which shall be paid for the salary of such superintendent, and two-fifths thereof shall be apportioned and distributed among the towns forming such union on the basis of the amount appropriated and expended for a superintendent in such towns for the preceding year and shall be paid for the salaries of teachers employed in the public schools therein.

"In all superintendency unions in which any part of the expense of the superintendent is borne by the commonwealth, the state board of education shall determine, by examination or otherwise, the qualifications of candidates for the position of superintendent of public schools; and after the first day of January, in the year nineteen hundred and five, no person shall be elected to such position who does not hold a certificate of fitness and competency from said board: provided, however, that this act shall not apply to any superintendency union in which one town does not receive aid from the commonwealth for expense of the superintendent, until the termination of the contract, if any, existing between such towns at the time of the passage of this act."[33]

State Supervision of Recent Growth.

State supervision of instruction is largely a product of the last half century. The early schools were local, and what supervision there was had to do with the administrative, rather than the professional, side of education. The schools received their support through fees, sales of land, lotteries, town taxes, and private bequests. As noted in chapter one, with the establishment of permanent school funds began the exercise of central control.

The office of state superintendent was for a time a matter of experimentation. In some of the older states, it was established, abolished and then revived, and the duties of this office were often assigned to some other officer already provided for. Thus in New York, it was established in 1812; nine years later it was combined with the office of secretary of state, and not until 1854 was it re-established. In Missouri, Ohio, Pennsylvania, Vermont, Louisiana and New York, the duties of this office were, for a time, performed by the secretary of state; in Colorado, by the state treasurer; in Oregon, by the governor.

The first board of education was organized, in 1825, in North Carolina and known as "President and Directors of the Literary

[33] Massachusetts School Laws, 1911, p. 32, secs. 43, 45.

Fund." Ten years later, Missouri provided for a similar organization known as the State Board of Education. Besides these two, and those of Connecticut and Massachusetts, there was only one other established before 1850, that of Maine, which was abolished six years later and has not since been revived.

It is only within recent years that provision has been made for real state supervision of elementary and secondary schools. The possibilities here are great if the work is done with intelligence and skill. If the inspector gives his attention, not to minute details of management of school and classes, but to the vital work of the school, if he is in possession of the best that thought and effort have produced anywhere bearing on teaching, organization and school administration to place at the service of the schools, if he has the power of adaptability to circumstances, so that he may readily see the relative fitness of things, if he is animated with a spirit of helpfulness, so that he will suggest improvement, encourage honest efforts, inspire the teachers with energy, enthusiasm and zeal, he will be a most potent force in raising the standard of elementary and secondary education.

That it has been necessary for the welfare of society that the state direct and control more and more the educational interests cannot well be denied.

"Unless the state is moving, the purposes of the state are not being fulfilled. The state which is not inspecting and improving its schoolhouses; which is not preparing, regulating, and advancing its teaching service; which is not shaping and stimulating and systematizing the work of its schools, through a department of the state government, and through universal expert supervision, to which it has given a dignity of standing and authority sufficient to justify the theories upon which its very act is taken, is a state whose government is in hands that are nerveless, or whose people are strangely and basely indifferent to the evolution of educational thought and to the stern logic of educational events."[34]

Whatever may be the view as to the degree of centralization desirable, it cannot be gainsaid that the supervision of the state has become closer and closer. To enforce the principle of equality underlying American education this has been found necessary.

"The public schools stand in precisely the same relation not only to every citizen, but to every inhabitant of the land. What

[34] Draper: American Education, p. 41.

the high seas are to the sailor, what the king's highway is to the landsman, the public schools are to every child on the road to knowledge. Equality of obligation in maintenance, and equality of right in enjoyment, is the legend which the law would write across the front of every public schoolhouse."[35]

To insure this sovereign prerogative the state, in the interest of society as well as the individual, has assumed greater and greater control of education.

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35 Draper: American Education, p. 57.

CHAPTER VIII.

INFLUENCE OF HIGHER INSTITUTIONS ON SECONDARY COURSES OF STUDY.

The Purpose of This Discussion.

In the treatment of the subject of this chapter, it is not the intention to make a comprehensive study of the relation of secondary schools and colleges, but rather to consider the question only in so far as it is affecting the secondary courses of study. While the control thus exercised by higher institutions is not strictly state control and may possibly be better characterized as extra-legal (with the exception of the University of the State of New York), yet the consideration of state supervision and inspection would hardly be complete without reference to this relationship between high schools and colleges which has had a marked effect on secondary instruction.

Historical Resume.

Originally, high schools and colleges had no relationship, unless possibly one of rivalry. The high school, as has been shown, originated as an outgrowth of elementary schools to answer the demand for more extended training. In time, however, these people's schools added to their aim of preparing for life that of preparing for college. In the effort to make the educational system continuous, there has sprung up a relationship between high schools and colleges which has given rise to many problems resulting in much discussion and readjustment. Though opinions differ widely as to what should be the nature of this relation, four methods of admission to college are in general use. The oldest method, that of examination, aside from its use by the college entrance examination board, is now confined to Harvard, Yale, Princeton, Bryn Mawr, and a few other eastern institutions. The certificate plan, by which the candidate from the preparatory school is admitted on a statement from his principal, certifying

that he is considered qualified for college work, prevails generally in New England. By the diploma method pursued in the south, the candidate is considered qualified by virtue of his diploma. Admission by accrediting prevails in the north central and western states. The most perfected system of examination is that carried on by the University of the State of New York, the only one of the kind in the country. The University is an organization embracing practically all the provisions for secondary and higher education. The governing body is the board known as the Regents of the University of the State of New York, whose function includes general control and inspection but not instruction. The work of the University is divided into six departments, one of which is that of the high school. The nature and character of the latter is indicated in the following:

"The college and the high school department of the university are under a single department director. He is assisted by nine inspectors of schools, one of whom is employed as an inspector of apparatus, and by a large staff of examiners. On the basis of reports made to this department, the regents distributed in 1901 a total of $292,311.81 to the secondary schools of the state. Formerly a portion of the money distributed by the regents was apportioned on the basis of credentials obtained by pupils in the schools who had passed regents' examinations—a method, that is, of payment by results. The report of the director of the high school department for 1898 says of the examinations: 'In June, 1898, the secretary stated to the regents that 10 years' experience had confirmed his views, given to the board in 1889, that examinations have the highest educational value and that the small minority which would abolish them are extremists. It is believed, however, that these tests would be more valuable if they were used for their educational value and not at all as a guide in distributing public money. Inspection will enable us in most cases to determine satisfactorily without regents' examinations whether a school is maintaining a standard deserving aid from state funds.'

"In accordance with this recommendation the method of payment by results has been discontinued and apportionments are now made as follows: (a) $100 is allowed to each school approved by the regents without regard to its size or special attainments; (b) a sum not exceeding $250 for the purchase of approved books and apparatus is allowed to each school raising for the same purpose an equal amount from local sources; (c) the balance of the fund is distributed on the basis of total attendance

of academic students, provided that each student whose attendance is so counted must hold a 'regents' preliminary certificate' for admission to the school, or the school must have been approved by two university inspectors as having a higher entrance requirement than the minimum prescribed for the preliminary certificate. Of the $350,000 appropriated for this purpose under the present laws, about 20 per cent will be distributed under item (a), about 15 per cent under item (b), and about 65 per cent under item (c).

"Regents' examinations are held in January and June in seventy-three subjects, covering all the subjects in the high school curriculum, and in March twenty-six subjects only. In 1901, these examinations were taken by 699 of the 741 secondary schools in the University. Each diploma issued by the regents to a graduate of a secondary school shows on its face the subjects in which its holder has passed regents' examinations. These diplomas are accepted in lieu of entrance examinations in the subjects which they cover by institutions of higher education not only in New York state but also generally throughout the United States. As the regents' preliminary examinations furnish the standard for admission to the secondary schools, their influence extends to all the lower grades, and large numbers of pupils from the ungraded rural schools take these tests in the neighboring high schools and academies.[1]

The Accrediting System.

While the system of examinations with all its imperfections has had its beneficial effect (and still has where in use) in compelling advance on the part of preparatory schools to meet the increasing college requirements for admission, it is the accrediting system which has done more than any other agency in raising the standards and efficiency of secondary schools.

No two universities pursue in detail the same method of accrediting, but the general policy is the same. No school is placed on the accredited list, unless on examination it is found to meet the University requirements for admission and the continuation of such relation is dependent on the maintenance of such character determined by subsequent periodical inspection by University authorities. The benefits derived from this system have been many It has enabled communities to see the deficiencies as well as excellencies of their schools and been instrumental in securing better school accommodation, better equipment, and better teach-

[1] Brown: Making of Middle Schools, p. 362.

ing force. It has greatly aided superintendents and teachers in maintaining high standards of scholarship. Through the presentation of university ideals, it has quickened the whole intellectual life of the community, aroused an interest in higher education on the part of many, which college education only, later could satisfy.

College Domination.

While the good that has already resulted from this system can hardly be over-estimated, the criticism today is that the universities and colleges exercise too strong an influence over the secondary schools, that the former practically prescribe the courses of study of the latter and name their teachers; that these courses of study are framed in the interests of the few who later attend college and do not meet the needs of the great mass of high school students. Whatever reasons there may be for such criticism, it should be remembered that in raising the cry of domination of colleges and universities over secondary schools, that any school whatsoever which receives pupils for admission from a lower one exerts an influence over the latter, directly or indirectly. This, moreover, in any system of education is important.

"Any substantial uplift in a system of education must come from above. Any great improvement or advance in a class of schools must come from a class of schools higher up. This fact is now actually coming to be recognized by the lower schools themselves, in America, and that of itself is giving unwonted trend and character to the national school system. But it necessarily follows that the factors which enter into the scheme and give returns to the plans of the upper schools, exert very strong influence upon the kind of uplift and the direction of the development which these schools give to the lower and middle schools."[2]

The right of universities to determine their own conditions for admission cannot well be denied. To maintain that all high school graduates irrespective of their training or experience are equally well prepared for college work is simply a re-statement of the theory of formal discipline. Instead, however, of the discipline formerly believed to be derived from the continued study of Latin and Greek, it is now intended to substitute subjects that meet modern industrial or local needs. As it makes no difference, seemingly, as far as college work is concerned, what these sub-

2 Draper: American Education, p. 204.

jects are, all that is necessary is that the candidates for college are bright and capable, the implication obviously is that what is required is discipline, power.

"There is nothing in the make-up of the human being, taken in an isolated way, which furnishes controlling ends and serves to mark out powers. If we leave out the aim supplied from social life we have nothing but the old 'faculty psychology' to fall back upon to tell what is meant by power in general or what the specific powers are. The idea reduces itself to enumerating a lot of faculties like perception, memory, reasoning, etc., and then stating that each one of these powers needs to be developed. But this statement is barren and formal. It reduces training to an empty gymnastic."[3]

To demand that any high school graduate shall be admitted irrespective of his preparation is not only unpedagogical and inconsistent with modern psychological thought, but puts a premium upon vacillating purposes of high school pupils. That such free admission would tend to lower the standard of university, as well as high school work, is evident. No teacher of any experience will maintain that the character of the work in a class is uninfluenced by the preparation of the members of the class. It would take away from the high school the stimulus which comes from having to meet certain standards of efficiency. Nor does it appear that it would especially serve the needs of those high school pupils who have no thought of a college course. To maintain that college courses and entrance requirements should be so framed as to afford equal college opportunities to the high school graduates who early determine upon a college career and those whose only aim is to manage in some way to obtain a high school diploma but later decide to attend college, is not dealing fairly with the former nor is it in accordance with natural law. The saying, "It is never too late to be what you might have been," would be nearer the truth if changed to "It is always too late to be what you might have been."[4] While some high school students left wholly to their own devices may not decide to attend college until at the close of the high school course, it may well be doubted whether any real high school graduates who had a genuine desire to attend college were ever kept from so doing by college entrance requirements. What shall be the future of the high school graduate is determined in

[3] Dewey: Ethical Principles Underlying Education, p. 12.
[4] Halleck: Education of the Central Nervous System, p. 94.

no small degree by parents, teachers and friends and the ideals which they uphold and personify. College, as well as high school courses, must undergo changes, to meet the varying demands of the time. College entrance requirements have been greatly modified in recent years. That other modifications are desirable, especially in respect to language, is maintained by many. It is not apparent, however, that high school courses formed wholly in view of local interest, or dominated by the spirit of commercialism, or imposed from without, irrespective of the demands of higher education, will give a better training to those pupils for whom the people's college is the finishing school. University requirements are now generally broader than those of state departments. The admission of graduates from any secondary school course would take away from the high schools the inspiration and help that necessarily comes from professional inspection. As supervision and inspection is absolutely essential to effective state control over education, the abolition of such inspection on the part of the universities and colleges would mean the further centralization of this power in state departments. It is difficult to see how such a change from double to single inspection would be in the interests of freedom so loudly demanded. Nor is it apparent that a board of inspection independent of the universities, unfamiliar with college needs and conditions, except such as gained from outside observation and hearsay, would carry on this voluntary work of supervison more effectively and further the interests of all more successfully than is now done.

This work of inspection on the part of universities and colleges is a development of recent years. The accrediting system originated in Michigan in 1871, was adopted by Indiana in 1873, by Wisconsin in 1878, and has met with such marked favor that, in 1894, the United States Commissioner of Education reported forty-two state universities and agricultural and mechanical collegs, and about one hundred fifty other institutions as having adopted it,[5] and in 1902, a list of three hundred fifty colleges which at least in part used this method of admission.[6] While this may not, strictly, be denominated state control, it is at least state wide in its influence and is indicative of the tendency toward centralization in education.

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5 Report of Com. of Education, 1894-95, vol. II, p. 1172.
6 Report of Com. of Education, 1902, vol. I, p. 531.

APPENDIX A.

Required Studies in the Various States.

(The numbers in the order given refer respectively to the pages and sections of the school codes.)

SCHOOL LAWS	Ala. '11	Ariz. '12	Ark. '11	Cal. '13	Col. '14	Conn. '12	Del. '13	Fla. '11	Ga. '12	Hawaii '11
Agriculture	35, 1747		28, act 315	82, 1665				35, 76	49, 2	
Algebra										
Arithmetic				,,	133, 239	17, 40		34, 74-76	,,	
Arbor Day		46, 112	124, 1, 2	219, 1	123, 222	21, 55	ch216,sec8	117, reg, 12	44, 7	50, 16
Bookkeeping				82, 1665						
Civil Government				,,	133, 239	18, 43		35, 76, 92,1	49, 2	
Domestic Science				,,				35, 76		
Drawing				,,				34, 74-76		
English Grammar (Lang. Les. Comp.)				,,	,,	17, 40		,,	,,	
English Literature										
Forestry				,,	,,	,,		,,	,,	
Geography										
Horticulture										
Humane Education				82, 1665	133, 239		119, 1-4			
Manners and Morals				83, 1667	,,		,,	34, 74-76		
Manual Training				82, 1665				,,		
Mental Arithmetic										
Method of Reading and Designating Land Survey										
Metric System			(L'93, ch. 142, sec. 7576							
Music				,,				,,		
Nature Study				,,	,,					
Orthoepy										
Orthography				,,	,,	17, 40		,,	19, 2	
Patriotism		48, 117	123, 1, 2, 3, 4	71, 1617a	99, 155 162	21, 56 57	25, 16			
Physiology and Hygiene	7, 3, also 35, 1746			82, 1665	133, 239	18, 45	,,	,,	44, 8	49, 15
Plane Geometry										
Reading				82, 1665	133, 239	17, 40		34, 74 76	49, 2	
School Law					,,		74, 1	,,	,,	
State Constitution	7, 4							,,	,,	
State History										
Stock-feeding (and animal husbandry)					,,					
Theory and Practice of Teaching										
Tuberculosis (and Sanitation)					,,					
U. S. Constitution				,,	,,	,,		,,	,,	
U. S. History				,,	,,	,,		,,	,,	
Writing										

APPENDIX A.

Required Studies in the Various States.—Continued.

(The numbers in the order given refer respectively to the pages and sections of the school codes.)

SCHOOL LAWS	Ida. '13	Ill. '12	Ind. '11	Ia. '11	Kan. '13	Ky. '12	La. '12	Me. '13	Md. '12	Mass. '11
Agriculture				35 G. A. S.F.205			108, A306 '10		23, 44	
Algebra										
Arithmetic		55, 179	108, 123		106, 285	11, 26	21, 16		"	17, 1
Arbor Day	93, 188	76, 271	Art. 7, 7511d				Bird Day 64, 14	34, 88	12, 19	ch. 53 sec 16
Bookkeeping						"				
Civil Government		55, 179							23, 44	
Domestic Science				"					"	
Drawing							21, 16	10, 23	"	17, 1
English Grammar (Lang. Les. Comp.)		"	108, 123		"	"	"		"	"
English Literature										
Forestry								47, 65		
Geography		"	"		"	"	"		"	"
Horticulture										
Humane Education		108, 1								
Manners and Morals	45, 86		108, 123						23, 44	24, 18
Manual Training				35 G.A. S.F.205					61, 147	
Mental Arithmetic										
Method of Reading and Designating Land Survey										
Metric System										
Music				122, 2823s					23, 44	
Nature Study		55, 179								
Orthoepy										
Orthography		"	"		106, 285	11, 26	21, 16		"	17, 1
Patriotism	33, 59	36, 115, 13th	116, 144-147½	35, G. A H.F.458	170, 505-508			57, 1	25, 52	36, 50
Physiology and Hygiene	94, 190	76, 273	108, 124, 138, 182	62, 2775	36, 85	11, 26	21, 16	13, 35 II	23, 45	17, 1
Plane Geometry										
Reading		55, 179	108, 123		106, 285	11, 26	21, 16		23, 44	17, 1
School Law										
State Constitution									"	
State History		"			"	"			"	
Stock-feeding (and animal husbandry)										
Theory and Practice of Teaching										
Tuberculosis (and Sanitation)										"
U. S. Constitution									"	
U. S. History			"		"	"	"		"	"
Writing		"	"		"	"	"		"	"

APPENDIX A.

Required Studies in the Various States.—Continued.

(The numbers in the order given refer respectively to the pages and sections of the school codes.)

SCHOOL LAWS	Mich. '11	Minn. '13	Miss. '12	Mo. '13	Mon. '13	Neb. '13	Nev. '13	N. H. '13	N. J. '11	N. Mex. '09
Agriculture			26, 4543							
Algebra			"		57, 601					60, 1529
Arithmetic									Amd. to Sch. L. '12 15, 1	88, 1625
Arbor Day	ch. 62, 1754		4, 4491	30, 10801	84, 1401	124, 3	37, 110			
Bookkeeping										
Civil Government			26, 4543		57, 601					
Domestic Science										
Drawing			"		"					60, 1529
English Grammar (Lang. Les. Comp)										
English Literature			"		"					
Forestry										
Geography										
Horticulture										
Humane Education	act. No. 227									
Manners and Morals		53, 139			65, 803			30, 92, 6		
Manual Training										
Mental Arithmetic			26, 4543		57, 601					
Method of Reading and Designating Land Survey										
Metric System										
Music										
Nature Study										
Orthoepy										
Orthography			26, 4543		"					60, 1529
Patriotism	75, 4802		"		54, 508	124, 1 11	38, 113 114	31, 928	131, 256	191, 1 3
Physiology and Hygiene	29, 4680	53, 139		33, 10806	57, 601	77, 171	37, 107	30, 92, 6	132, 259	
Plane Geometry										
Reading			26, 4543		57, 601					60, 1529
School Law			"							
State Constitution			"		"					
State History										
Stock-feeding (and animal husbandry)										
Theory and Practice of Teaching										
Tuberculosis (and Sanitation)				33, 10806	60, 612					
U. S. Constitution			"		57, 601					"
U. S. History					"					"
Writing										

APPENDIX A.

Required Studies in the Various States.—Continued.

(The numbers in the order given refer respectively to the pages and sections of the school codes.)

SCHOOL LAWS	N. Y. '12	N. C. '13	N. Dak. '11	Ohio '12	Okla. '12	Ore. '13	Penn. '13	R. I. '12	S. C. '12	S. Dak. '13
Agriculture		41, 4087	84, 271	128, 7761	62, 223				17, 1731	
Algebra										
Arithmetic		"	84, 271	98, 7648	17, 44		91, 1607		"	28, 138
Arbor Day	147, 750-752			107, 7688	111, 383	163, 417		13, 5	33, 1809	
Bookkeeping										
Civil Government			"	98, 7648			"			
Domestic Science					62, 223					
Drawing		"								
English Grammar (Lang. Les. Comp)		"	"	"	17, 44		"		17, 1731	"
English Literature									"	
Forestry					62, 223					
Geography		"	"	"	17, 44		"		"	"
Horticulture					62, 223					
Humane Education			85, 272		111, 379		92, 1610			29, 144
Manners and Morals			86, 277		110, 378				17, 1731	28, 143
Manual Training										
Mental Arithmetic										
Method of Reading and Designating Land Survey										
Metric System										
Music										55, ch. 19
Nature Study			84, 271							
Orthoepy										
Orthography		41, 4087	84, 271	98, 7648	17, 44		91, 1607			28, 138
Patriotism	145, 710-712		89, 287	87, 7621	110, 376	75, 156	48, 629	14, 9		v ch. 189 L. 1913
Physiology and Hygiene	142, 690-691, also 57, 10	"	84, 271	118, 7723-7726		51, 98	92, 1609	22, 4	17, 1732	49, 238
Plane Geometry										
Reading		41, 4087	84, 271	98, 7648	17, 44		91, 1607		17, 1731	28, 138
School Law										
State Constitution		"							"	
State History		"							"	"
Stock-feeding (and animal husbandry)					62, 223					
Theory and Practice of Teaching										
Tuberculosis (and Sanitation)			"				92, 1609			
U. S. Constitution		"								
U. S. History		"	"	"			91, 1607		"	"
Writing		"	"	"	17, 44		"		"	"

Appendix A.

Required Studies in the Various States.—Continued.

(The numbers in the order given refer respectively to the pages and sections of the school codes.)

School Laws	Tenn. '11	Tex. '13	Utah. '13	Vt. '11	Va. '10	Wash. '13	W. Va. '11	Wis. '11	Wyo. '13
Agriculture	25, 32	32, 78					41, 78	112, 447	29, ch.53
Algebra	25, 32								
Arithmetic	"	"		29, 1003	71, 83	49, 89	"	"	"
Arbor Day	15, 11	32, 76			120, 146			3, 137b	106, 3582
Bookkeeping	25, 32						"		
Civil Government	"	32, 78			71, 83		"		
Domestic Science									
Drawing				"	"				
English Grammar (Lang. Les., Comp)	25, 32	32, 78		"	"	"	"	112, 447	29. ch. 53
English Literature									
Forestry									
Geography	"	"		"	"	"	"	"	29 ch 53
Horticulture									
Humane Education		32, 78				49, 89		Sch. L.S. p. 45, sec. 553a	46, 1976
Manners and Morals			45, 1848	29, 1003	71, 83	" also 112, 232			29, ch. 53
Manual Training	L'05 ch.131								
Mental Arithmetic		32, 78				49, 89			
Method of Reading and Designating Land Survey									
Metric System			Con. art. 10, sec. 11						
Music	25, 32								
Nature Study	25, 32								"
Orthoepy									
Orthography	"	"		"	"	"	41, 78	112, 447	"
Patriotism			111, 1965x	28, No. 67 act of '10		112, 232 also 83, 164	68, 162	94, 436a	49, 1991
Physiology and Hygiene	"	"	33, 1829	29, 1003	"	49, 89	41, 78	113, 447a	29, ch.53
Plane Geometry	"								
Reading	25, 32	32, 78		29, 1003	71, 83	49, 89	41, 78	112, 447	29, ch. 53
School Law									
State Constitution	"			"				"	"
State History	"	"		"	"		"	"	
Stock-feeding (and animal husbandry)									
Theory and Practice of Teaching									
Tuberculosis (and Sanitation)			San. 33, 1829x						
U. S. Constitution	"			"				"	
U. S. History	"	"		"	"	"	"		"
Writing	"	"		"	"	"	"	"	"

Appendix B.

Provisions Relating to Courses of Study.

STATE	COURSES DETERMINED FOR ELEMENTARY SCHOOLS BY: Statute.	State Superintendent.	State Board of Education.	Co. Superintendent.	Co. Board of Education.	School Board.	SECONDARY SCHOOLS BY: State Superintendent.	State Board of Education.	Committee.	Co. Board of Education.	School Board.	SPECIAL REQUIREMENTS: Minimum.	Preparation for College.	State Course Prepared by.
Ala.					22, 1715		74, 1866							
Ariz			2, 4								34, 82			S. Bd. of Ed. 2, 4
Ark		16, 7532				85, 7684					86, 7685			St. Supt., 16, 7532
Cal	82, 1665				82, 1663						144, 1750	144, 1750	144, 1750	
Col	133, 239					71, 124					71, 124			
Conn	17, 40										27, 71			
Del			6, 2					6, 2						
Fla	34, 74 76				16, 35				35, 78			35, 78	35, 78	Com. 35, 78 (N. S.)
Ga	49, 2		103, 3					103, 3						S. Bd. of Ed. 103, 3
Hawaii		9, 25					9, 25							
Ida			6, 9			66, 1. In dep. sch. dists.					66, 1 71, 137	*71, 137		S. Bd. of Ed. 6, 9
Ill	55, 179					44, 133, 5th, 35, 114					35, 114 44, 133, 5th			
Ind	108, 123							112, 133						
Ia						55, 2772					63, 2776			St. Supt. 8, 2622
Kan	106, 285		24, 46					133, 388				130, 379 137, 407	130, 379 137, 407	S. Bd. of Ed 23, 46
Ky	11, 26		10, 25								91, 261			S. Bd. of Ed. 10, 25
La	21, 16		15, 3					15, 3						

Me		40, 1007								25, 59	25, 59		St. Supt. 40, 100:7
Md	23, 44						54, 130						
Mass	17, 1									18, 2	50, 126	18, 2	
Mich					57, 4748					57, 4748			St. Supt. 12, 4641, 70, 4791 & 154, 11
Minn					27, 55:10		85, 247					85, 247	
Miss	26, 4543									23, 4535			S. Bd. of Ed. 4, 4491
Mo				117, 10933		112, 10923					112, 10923	112, 10923	
Mont	57, 601						19, 106					122, 2107	St. Supt., 28, 202
Neb					42, 84					49, 101			
Nev			9, 4				9, 4						S. Bd. of Ed. 9, 4
N. H					30, 92:4					30, 92:4	55, 96:4	55, 96:4	
N. J					46, 95 7th		191, 2				191, 3		
N. Mex	60, 1529									76, 1569			
N. Y					68, 310:3					68, 310:3			
N. C	41, 4087					49, 4113							
N. Dak	84, 271						L. 1913				115, 1034		St. Supt. 12, 5
O	98, 7648									98, 7649		100, 7658	
Okla	17, 44									40, 129		55, 195	
Ore			29, 48		113, 270	136, 338	148, 367		136, 338		136, 338		S. Bd. of Ed. 29, 48
Penn	91, 1607					By Supt of H.S. 95, 1712					93, 1704		St. Supt. 57, 1012
R. I					22, 6					22, 6			
S. C	17, 1731		10, 2				10, 2						S. Bd. of Ed. 10, 2
S. Dak	28, 138									41, 190			
Tenn	35, 32						79, 5				79, 5		
Tex	32, 78				73, 182					73, 182	55, 140		
Utah				14, 1783						84, 1893			Com, 42, 1837x
Vt	29, 1003					32, 1016							St. Supt, 7, 923
Va	71, 83				137, 183		73, 87						
Wash	49, 89				92, 191					126, 268 Prin. with app. of board			S. Bd. of Ed. 58. 131
W. Va	41, 78		58, 131				58, 131						S. Bd. of Ed. 58. 131
Wis	112, 447				112, 447	197, 496a							St. Supt. 6, 6
Wyo	29, ch, 53	29, ch, 53								71, 2073		76, 2074	St. Supt. 29, ch. 53

*In rural high schools the course must be approved by the State Board of Education.

APPENDIX C.

Provisions Relating to Religion and Sectarianism.

STATE	CONSTITUTIONAL						STATUTORY				
	Appropriations for Religious Purposes Prohibited.	Sectarian Instruction Prohibited.	Sectarian Books Prohibited.	Attendance at Religious Exercises Not Required.	Bible Not to be Excluded.	Public School to be Free from Sectarian Control.	Use of Sectarian Books Prohibited.	Bible Not to be Excluded.	No Appropriation for Sectarian Purpose.	No Sectarian Control.	Sectarian Instruction Prohibited.
Alabama	263										
Arizona		11,7					39, 95				39,95
Arkansas	9, 1						75, 7654				
California	9, 8	9, 8					84, 1672				84, 1672
Colorado	9, 7	9, 8		9, 8							171, 355
Connecticut											
Delaware	10, 3										
Florida	12, 13										
Georgia	8, 5 permit						50, 2	74, 3			
Hawaii											49, 15
Idaho	9, 5	9, 6	9, 6	9, 6							92, 186
Illinois	8, 3								75, 263		
Indiana								106, 118			
Iowa								97, 2805			
Kansas						6, 8		50, 125			50, 125
Kentucky	189						121 348				
Louisiana	253										
Maine											
Maryland							31 67				
Massachusetts	Amt. 18						25, 19	Bible to be read 25, 19			
Michigan	4, 40								27, 4676		
Minnesota	8, 3										

Mississippi	208				3, 18					
Missouri	11, 11									
Montana	11, 8	11, 9		11, 9			59, 609			59, 609
Nebraska		8, 11								
Nevada	11, 10	11, 9					37, 105			37, 105
New Hampshire	282						32, 92, 9			
New Jersey							No religious service except reading of Bible and Lord's Prayer 64, 125			
New Mexico		79, 1582								
New York	9, 4									
North Carolina	9, 1						79, 4060			
North Dakota	152					147		86, 276		
Ohio	6, 2									
Oklahoma										110,377
Oregon										
Pennsylvania	10, 2 3, 17							Bible to be read 156-J		
Rhode Island										
South Carolina	11, 9	11, 9								
South Dakota	8, 16 26, 18	22, 4 8, 16				26, 1		Bib. may be read 42, 203		42, 203
Tennessee										
Texas	7, 5								29, 65	
Utah	10, 13					10, 1				45, 1848
Vermont										
Virginia	141									
Washington						9, 4			52, 96	
West Virginia										
Wisconsin	1, 18	10, 3					106, 440a			
Wyoming	7, 8	3, 36		7, 12						

APPENDIX D.

Statistics Relative to the Office of State Superintendent.

STATE	Year office was established.	Selection—Popular Vote.	Selection—Appointment	Term.	Qualifications required.	Member of State Board of Education.	Salary.	Bond.
Alabama	1854	"		4			3,000	15,000
Arizona	1870			2		Secretary	3,000	
Arkansas	1874	"		2			2,500	
California	1851	"		2		Secretary	5,000	
Colorado	1861	"		2		President	3,000	5,000
Connecticut	1839		St. Bd. of Ed.	1		Secretary	3,500	
Delaware	(1875 Abol. 1886)							
Florida	1868	"		4		Secretary	3,600	
Georgia	1868	"		2	"	"	2,000	
Idaho	1864	"		2	"	President	24,00	2,000
Illinois	1854	"		4			7,500	25,000
Indiana	1852	"		2		President	3,500	
Iowa	1841	"		2			4,000	2,000
Kansas	1859	"		2		"	2,500	10,000
Kentucky	1837	"		4		President	2,500	2500
Louisiana	1847	"		4		"	5,000	
Maine	1846		Governor	3			4,000	
Maryland	1825		Governor	4		Secretary	3,000	
Massachusettts	1837		Bd. of Ed	*5			4,500	
Michigan	1836	"		2		Secretary	4,000	
Minnesota	1858		Governor	2			4,500	
Mississippi	1868	"		4		President	2,500	5,000
Missouri	1839	"		4		President	3,000	10,000
Montana	1866	"		4	"	"	3,000	10,000
Nebraska	1869	"		2		"	2,000	5,000
Nevada	1866	"		4	Secretary	Secretary	2,000	
New Hampshire	1846		Governor	2			4,000	
New Jersey	1845		Governor	5		Secretary	10,000	

*Fixed by Board of Education, subject to approval of Governor and Council.

New Mexico	1890		Governor	2		Secretary	3,000	2,000
New York	1813		Bd. of Regents.	During pleasure of Board			7,500	
North Carolina	1852	"		2		Secretary	3,000	
North Dakota	1867	"		2	"		5,000	5,000
Ohio	1837	"		2			4,000	5,000
Oklahoma	1891		Governor	2		President	2,500	5,000
Oregon	1872	"		4		Secretary	3,000	
Pennsylvania	1833		Governor	1			5,000	
Rhode Island	1843		St. Bd. of Ed.	1		Secretary	4,000	
South Carolina	1868	"		2		Secretary	1,900	5,000
South Dakota	1867	"		2			2,500	2,000
Tennessee	1867		Governor	2	"	Secretary	3,000	10,000
Texas	1871	"		2		Secretary	2,500	10,000
Utah	1852	"		4	"	President	2,400	
Vermont	1827		Gen. Assembly	2			2,000	
Virginia	1870	"		4	"	President	3,500	
Washington	1872	"		4		President	3,000	
West Virginia	1869	"		4	"		4,000	2,500
Wisconsin	1849	"		4	"		5,000	
Wyoming	1869	"		4			4,000	

Appendix D.

Statistics Relative to the Office of State Superintendent.—Continued.

STATE	PRINCIPAL POWERS AND DUTIES												
	Annual Report.	Biennial Report.	General supervision over educational interests.	Apportion school fund income.	Arrange for teachers' institute.	Prepare and distribute course of study.	Prepare Co. examination questions.	Call convention of Co. superintendents.	Decide questions of school law.	Appoint state board of examiners.	Appoint institute conductors.	Cause school laws to be printed and distributed.	Visit and inspect schools.
Alabama	..		..	..	..	..		..				..	
Arizona	..	..	..	..		..		..					
Arkansas													
California		..	....	..	....	..	....	..	..	....	....	..	..
Colorado	..		....	..	....	....	....	....	....	....	....	....	....
Connecticut			....	....	....	....	....	....	....	....	....	....	....
Delaware			....	....	....	....	....	....	....	....	....	....	....
Florida		..	....	....	....	....	....	....	....	....	....	....	....
Georgia	..		..	....	....	....	....	....	....	....	....	....	....
Idaho		..	..	....	....	....	....	....	....	....	....	....	....
Illinois	..		..	....	....	....	....	....	....	....	....	....	....
Indiana		..	..	....	....	....	....	....	....	....	....	....	....
Iowa		..	..	....	....	....	....	....	....	....	....	....	....
Kansas		..	..	....	....	....	....	....	....	....	....	....	....
Kentucky		..	....	....	....	....	....	....	....	....	....	....	....
Louisiana		..	....	....	....	....	....	....	....	....	....	....	....
Maine		..	..	....	....	....	....	....	....	....	....	....	....
Maryland			..	....	....	....	....	....	....	....	....	....	....
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